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Entertainment Commission
City and County of San Francisco

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Notice of Cancelled Meeting

For the Entertainment Commission

Meeting on Tuesday, January 3, 2006

City Hall, Room 406 at 4:00 P.M

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

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Entertainment Commission
City and County of San Francisco

Notice and Agenda for Meeting
Tuesday, January 17, 2005 at 5:00 P.M.
Room 406, City Hall 2006
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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Call to Order and Roll Call.

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1/17/06

Public Comment: Members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission. With respect to agenda items, members of the public may address the Commission for up to three minutes at the time such item is called.

1. Review and approve minutes of December 20, 2005. **[Action Item]**

2. Hearing and possible action regarding applications for permits under the jurisdiction of the Entertainment Commission. **[Action Item]**

   a) **Bruce, Trelawny, & Natali, Leslie, dba "The Pendulum," 4146 18th Street, Place of Entertainment.**

   b) **Hwang, Sunwoo, dba "Vessel," 85 Campton Place, Place of Entertainment/Extended Hours Premises.**

   c) **Dobras, David, dba "Mecca," 2029 Market Street, Place of Entertainment.**

   d) **Metzger, Lawrence, dba "S.F. Mix," 4086 18th Street, Place of Entertainment.**

   e) **Perason, Richard, & Rollier, Richard, dba "Metro City Bar," 3600 16th Street, Place of Entertainment.**

   f) **Merrill, Brent & McMartin, Don dba "The Edge," 4149 18th Street, Place of Entertainment.** (Application withdrawn)

3. Report from Executive Director on the following: Report on New Year's Eve activities, Meeting with North Beach Chamber Commerce. **[Discussion]**

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4. Report from the Legislative Committee. Terrance Alan, (Chair) **[Discussion]**

5. Report from the Executive Committee. Jim Meko, (Chair) **[Discussion]**

6. Commissioner Comments and Questions.

7. Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings. **[Action Item]**

8. Adjournment.

Please see attached for the Entertainment Commission's interim policy on accessibility to its meetings.

DISABILITY ACCESS

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City Hall, Room 409
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San Francisco, CA 94102-4689
Office: (415) 554-7724
(Fax): (415) 554-7854
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WRITTEN COMMENTS

Persons attending the meeting and those unable to attend may submit written comments regarding the subject of the meeting. Such comments will be made part of the official public record and will be brought to the attention of the Commission. Written comments should be submitted to the Entertainment Commission c/o Jocelyn Kane, Entertainment Commission, Room 453 City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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Entertainment Commission
City and County of San Francisco

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Notice and Agenda for Meeting
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Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Call to Order and Roll Call.

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6. Commissioner Comments and Questions.

7. Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings. **[Action Item]**

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City and County of San Francisco
Entertainment Commission

January 17, 2006

ENTERTAINMENT COMMISSION

City and County of San Francisco

MINUTES OF THE

January 17, 2006
City Hall, Room 406

Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

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COMMISSIONERS

Present
Terrance Alan
Jim Meko
Bruce Lorin
Jordan Shlain
Bowman Leong

STAFF

Present
Robert Davis, Executive Dir.
Jocelyn Kane and Crystal Stewart

CALL TO ORDER
The Commission Chair called the meeting to order at 5:07 P.M.

ROLL CALL

Bob Davis called the Roll.

Present at the meeting were Commissioners Bruce Lorin, Jim Meko, Bowman Leong Terrance Alan and Jordan Shlain

Absent at the time of roll call were: Audrey Joseph and Joseph Pred.

Staff present was, Robert Davis, Jocelyn Kane and Crystal Stewart.

Chair Shlain stated general public comment would be taken after the permits were heard due to some of the Commissioner's engagements.

1. REVIEW AND APPROVAL OF MINUTES

Public Comment
No public comment.

Commissioner Alan moved to approve the minutes of December 20, 2005 Commissioner Lorin second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Shlain, Commissioner Lorin and Commissioner Leong
NOES - None
ABSENT – Commissioner Pred and Commissioner Joseph

2. Hearing and possible action regarding applications for permits under the jurisdiction of the Entertainment Commission.

Item A

a) Bruce, Trelawny, & Natali, Leslie, dba "The Pendulum," 4146 18th Street, Place of Entertainment.

Bob Davis stated Mr. Natali was engaged with the community in mediation and the issues had been resolved.

Mr. Natali stated the people who had expressed objection to the entertainment permit applications had been in mediations and agreed on all the items that they were in disagreement with and all the issues had been resolved. He added they were ready to go forward.

Public Comment

Julius Turman resides in San Francisco. He added he appeared before the Commission on August 3, 2005 and November 2005 regarding the application. He added he was pleased to report the claimants that previously raised issues with the permit and Mr. Natali's other establishments had reached a settlement through the mediation process and therefore they had no objections to Mr. Natali's application.

Richard Ceely resides at 75A Collingwood in San Francisco. He added he had concerns about the application for entertainment for the outside patio that they were proposing to build and the noise level it would create. He added he purchased his home two months ago and feared the noise level would be to great to have the comfort of his own home and would continue on into late hours of the night making it impossible for him to sleep. He requested there be a time limit for the patio hours on weekend be 10:00 P.M. and weekdays 11:00 P.M. He added he just bought his home and if the noise level were unbearable he would feel like he made an extremely poor investment.

Eugene Tebbe resides at 75 Collingwood Street. He added he has resided at his address for eleven years and it became noisy in the evening. He asked the Commission to put a limit on the patio hours and the manager of the Pedunlum is responsible for seeing that it was cleared at a certain time.

Chris Hollins resides at 73B Collingwood Street. He added they were looking for the bar to have a time limit on the entertainment permit for the patio area of 10:00 P.M. on the weekdays and 11:00 P.M. on the weekends. He added his shift started at 6:00 A.M. and with the recent construction of the patio it would increase the noise for him and
would not allow for him to sleep at night and would like it limited to 10:00 P.M.

Commissioner Meko asked if Mr. Natali intended putting speakers on the patio? He added the Commission did not have authority over land use issues.

Mr. Natali stated he had no plans to put speakers on the patio.

Commissioner Lorin asked what his intentions would be with the patio during the weekday. He added could he detour his smokers to go out front.

Mr. Natali stated he would be responsive to the concerns of the neighbors and do what he needed to do to make sure the sound was not disturbing to the neighbors after a reasonable time at night. He added they planned to construct an onning that would have some soundproofing that would help defuse some of the sound that was generated before. He added he could detour his patrons to go out front but had not had problems in the past.

Commissioner Alan stated he did not in any way want to come across being disrespectful. He added to the gentleman that just bought his house to take a look at were he was buying and the Commission could not tell businesses to shut down because they now lived there. He added thee were ways to apply conditions to the permit and will ask the management of the establishment do everything in its power to comply with an anti smoking law and the need for people to smoke. He added a smoking patio kept people off the street and if the same people were out front smoking the same people that can't sleep would hear them out front.

Chair Shlain stated given the tensions that previously existed he would hate to see them open up again for a different reason and encouraged the applicant to work with the neighbors. He added should the neighbors complain it would come before the Commission.

Commissioner Leong stated the neighbors concerns could be addressed with the Good Neighbor Policy.

Commissioner Meko stated the Good Neighbor Policy were conditions automatically put on the permit if it were granted. He added there were six provisions out of the eleven that applied to the applicant.

Commissioner Alan stated that since entertainment would not be considered for the patio the Commission did not have the ability to restrict any hours at the making of the motion for the entertainment permit. He added the policing of the patio had to remain the responsibility of the

managing team. He added he lived on the corner of 6th and Folsom street and there were the busiest nightclubs of San Francisco as his neighbors and he moved in there knowing that. He added there were ways in which neighbors could be good neighbors and businesses could be good neighbors.

Commissioner Lorin sated it was an unfortunate situation for the neighbors but it was not controlled by the Commission. He added they only dealt with the Place of Entertainment.

Commissioner Alan moved to approve with the standard Good Neighbor Policy attached Commissioner second the motion.

VOTE:

AYES - Commissioner Meko, Commission Alan, Commissioner Shlain, Commissioner Lorin and Commissioner Leong

NOES - None

ABSENT – Commissioner Pred and Commissioner Joseph

Item B

b) Hwang, Sunwoo, dba "Vessel," 85 Campton Place, Place of Entertainment/Extended Hours Premises.

Jocelyn Kane stated the permit was for place of entertainment and extended hours until 3:00 A.M. She added it would be a luxury boutique lounge near Union Square. She added city planning approved it as a use without restrictions to hours of operations and the Captain at Central station put in writing that he had no objections and staff recommends a conditional grant. Mark Rennie stated he represented the applicant. He added it was a four thousand square foot boutique nightclub located in the basement of the Nike Town building in the Armani black label store. He added the applicant was a five-year promoter in San Francisco and former executive producer for last three years of the "W" Hotel entertainment concerns and had put on events at Ruby Sky and the Regency and the Mark Hopkins. He requested a motion be made for the conditional grant of the application.

Sunwoo Hwang stated they were working very diligently to join the San Francisco nightlife and business community. He added Linda Magellan of the Union Square Association of which they are a member of and Patricia Bruslin of the Hotel Council, Paul West of the Campton Place Hotel and Captain James Dudley of the San Francisco Police Department in addition to Fred Crisp and inspector Rich Magnodin had been supportive of the project and the development. He added their mission was to enhance the lifestyle experience of San Francisco as a world-class cosmopolitan leader.

Commissioner Lorin asked would the applicant have drop off at the door in the alley?

Sunwoo Hwang stated they had discussions with DPT to put the white zone on Stockton Street that will be manned. He added there were over 3,000 parking spaces in the Union Square area.

Public comment

Barry Taranto stated he saw the club becoming a big deal because it was located and they needed more clubs like it in the area. He added the applicant should take lessons from the club Ruby Sky because their security was very good at making sure that there was a white-zone and pick up and drop area. He added they should know that limo and town cars would abuse the system and he would appear before the commission to voice his concerns. He added they should encourage the use of cabs.

Commissioner Alan stated he was happy to see that San Francisco was once again receiving significant investments in its entertainment industry and complemented everyone on the Commission for their many hours of work to make sure true investors came to San Francisco and

open places like the Vessel.

Commissioner Alan moved to approve
Commissioner Lorin second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Shlain, Commissioner Lorin and Commissioner Leong
NOES - None
ABSENT – Commissioner Pred and Commissioner Joseph

Item C

c) Dobras, David, dba "Mecca," 2029 Market Street, Place of Entertainment.

Jocelyn Kane stated Mecca had been operating since the mid 90's and the new owners were applying for a place of entertainment. She added it was primarily at restaurant and the hours of operation were until 12:00 A.M. most of the time. She added City Planning approved it as a permitted use and Mission Station had no objections to the application. She added staff recommended conditionally granting the permit.

Mr. Steve Webber stated they were happy to be the new owners of Mecca. He added they did not change anything and would keep it the same. He added they had live entertainment a couple of times a year. He added they were in touch with their homeowner's association and the condos above them and the neighbors around them. He added they informed neighbors of live entertainment events.

Public Comment
No Public Comment.

Commissioner Meko moved to approve
Commissioner Leong second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Shlain, Commissioner Lorin and Commissioner Leong
NOES - None
ABSENT – Commissioner Pred and Commissioner Joseph

Item D

d) Metzger, Lawrence, dba "S.F. Mix," 4086 18th Street, Place of Entertainment.

Jocelyn Kane stated it was a small bar that had been operating in the Castro for a long time and had taken the opportunity based on the Castro legislation to get a permit before the end of 2005. She added Mission station had no objections to issuing the permit. She added the ABC license submitted with the application indicated the sale, service and consumption of alcohol on the patio end at 10:00 P.M. each day.

Mr. Lawrence Metzger stated he was here to get in line with the permit application and was present to answer any questions.

Public Comment
No public comment.

Commissioner Leong moved to approve
Commissioner Alan second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Shlain, Commissioner Lorin and Commissioner Leong
NOES - None
ABSENT – Commissioner Pred and Commissioner Joseph

Item E

e) Perason, Richard, & Rollier, Richard, dba "Metro City Bar," 3600 16th Street, Place of Entertainment.

Jocelyn Kane stated it was an application for a long-standing second story bar at 16th and Noe. She added there were no objections from Mission station and staff recommended approval.

Public comment
No public comment.

Commissioner Lorin moved to approve
Commissioner Alan second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Shlain, Commissioner Lorin and Commissioner Leong
NOES - None
ABSENT – Commissioner Pred and Commissioner Joseph

Item F

f) Merrill, Brent & McMartin, Don dba "The Edge," 4149 18th Street, Place of Entertainment.

Application withdrawn.

GENERAL PUBLIC COMMENT

No public comment.

3. Report from Executive Director on the following.

Bob Davis stated all of the permits for New Years Eve for One Night Events were issued with the exception of a few clubs that had overcrowding. He added it was a pretty quiet New Years and the fire works lasted 15 minutes. He added he attended the North Beach Chamber of Commerce meeting and the restaurants were experiencing increased overhead and they would be coming to the Commission to ask for a Place of Entertainment and staff had been invited back to attend the next meeting and would hold seminars in conjunction with the North Beach Chamber through restaurants and clubs to talk about good management practices. He added the seminars would start next month and he would keep the Commission informed.

4. Report from the Legislative Committee.

Commissioner Alan stated the legislative Committee Meeting was cancelled.

5. Report from the Executive Committee

Commissioner Meko stated the Executive Committee would meet on January 23, 2006 for a regular session and then again on January 30, 2006 in room 400 with regards to the issues that came out of the Rolling Stones concert sound problems at SBC Park.

6. Commissioner Comments and Questions.

Commissioner Alan stated on a quarterly basis the Tenderloin would be holding a community forum and they asked him to chair the meetings and make a presentation on liquor license transfers and new entertainment venues. He added he requested that Bob Davis attend to speak on the issue of new entertainment venues. He added at the first meeting he would explain the liquor license transfer process and then reach out to the Police Department and ABC so they can have a representative present.

7. Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings.

No items were added.

8. Adjournment

6:58 P.M.

Entertainment Commission
City and County of San Francisco

Notice and Agenda for Meeting
Tuesday, February 7, 2006 at 5:00 P.M.
Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
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1. Review and approve minutes of January 17, 2006. **[Action Item]**

2. President's Report on meeting with the Mayor and meeting with Supervisor Peskin, and the role of the Entertainement Commission SoundTechnician.

3. Hearing and possible action regarding applications for permits under the jurisdiction of the Entertainment Commission. **[Action Item]**

   a) **Mateus, Sandy, dba "The Hamlin School", 2120 Broadway, February 11, 2006, 6:00 P.M. - 11:00 P.M., Loudspeaker Permit.**

   b) **Sims, Jason, dba "Royale", 1326 Grant Street, Place of Entertainment.**

4. Report from Executive Director on the following: Report on. Meeting with North Beach Chamber of Commerce and update on dialog with San Francisco Police Department. **[Discussion]**

5. Report from the Legislative Committee. Terrance Alan, (Chair) **[Discussion]**

6. Report from the Executive Committee. Jim Meko, (Chair) Report on SBC Park Special Hearing on January 30, 2006. **[Discussion]**

7. Commissioner Comments and Questions.

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8. Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings. **[Action Item]**

9. Adjournment.

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City and County of San Francisco
Entertainment Commission

February 7, 2006

ENTERTAINMENT COMMISSION
City and County of San Francisco

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MINUTES OF THE

February 7, 2006
City Hall, Room 406

Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

COMMISSIONERS

Present
Terrance Alan
Jim Meko
Jordan Shlain
Bowman Leong
Joseph Pred

STAFF

Present

Robert Davis, Executive Dir.
Jocelyn Kane and Crystal Stewart

CALL TO ORDER

The Commission Chair called the meeting to order at 5:07 P.M.

ROLL CALL

Bob Davis called the Roll.

Present at the meeting were Commissioners Jim Meko, Bowman Leong Terrance Alan, Joseph Pred and Jordan Shlain.

Absent at the time of roll call were: Audrey Joseph and Bruce Lorin.

Staff present was, Robert Davis, Jocelyn Kane and Crystal Stewart.

PUBLIC COMMENT

Barry Taranto stated Ruby Sky handle their traffic and crowd control well. He added ever since Clear Channel took over and hired an independent security firm to handle security they have treated the cab drivers disrespectful and the Fillmore staff was not responsive to the staff at the Hall. He added the Fillmore Auditorium needed to be friendlier when dealing with transportation issues and asked the Commission to get involved.

1. REVIEW AND APPROVAL OF MINUTES

Commissioner Alan moved to approve the minutes of January 17, 2006
Commissioner Leong second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Shlain, Commissioner Lorin and Commissioner Leong
NOES - None
ABSENT – Commissioner Pred and Commissioner Joseph

2. President's Report on meeting with the Mayor and meeting with Supervisor Peskin, and the role of the Entertainment Commission Sound Technician.

Chair Shlain stated he and Bob Davis had a meeting with the Mayor to discuss a basket of different things Commission was working on as well as update on where the Commission wanted

to go. He added they discussed the possible benefit to venues closing at 4:00 A.M. and 6:00 A.M that cities like San Jose and Hollywood picked up and how they may prove to work in decreasing crime on the streets by greater than 20 percent after 2:00 A.M. He added the Mayor would support the Commission. He added in order to handle the issues of the Broadway corridor the Commission would need to effectually manage the situation and they had to be involved and they were working on a plan to make that work. He added it was important to know that the Entertainment Commission Sound Tech was there to measure sound and monitor complaints and keep a log of what was going on with the neighbor's complaints. He added it was not his responsibility to tell venue owners the best location to put their speakers or sound systems. He added was the responsibility of the venue or the landlord.

3.) Hearing and possible action regarding applications for permits under the jurisdiction of the Entertainment Commission.

a) Mateus, Sandy, dba "The Hamlin School", 2120 Broadway, February 11, 2006, 6:00 P.M. - 11:00 P.M., Loudspeaker Permit.

Jocelyn Kane stated the Hamlin School held their annual fundraising every year and this year they decided to go a little bit later, which was why they were before the Commission. She added the applicant wrote a letter to the neighbors informing them of the event and there was one person opposing the extra hour. She added Officer Gallagher of Northern Station recommended approval until 10:00 P.M. She added staff recommends approval until 11:00 P.M.

Nancy Kehoe stated she was Sandy Mateus supervisor. She added they sent a letter in December notifying the neighbors of the event and a second letter in January regarding the event and how it would affect the neighborhood. She added they would have a live auction and dinner in a tent on the top of their building and the tents would have sides and the sound would be micophoned for an auctioneer and DJ until 11:00 P.M. She added they wanted the opportunity to extend the party until 11:00 P.M.

Ann Paxton stated Mr. Loenburg lived a block and a half away from the event and opposed it going until 11:00 P.M.

Bob Davis stated other than the one complaint letter they had not gotten any negative feedback.

Public comment
No public comment.

Commissioner Alan stated he hosted a Bar Mitzvah and his club on Saturday night and they had originally planned for the event to end at 10:00 P.M. He added they requested an additional hour and during the hour the DJ played more down tempo music and the party wind down and people left without rushing the door and left in good order. He added if they made the request of the applicant that the last hour to be used as a cooling down period he thought it would immolate the concerns of the neighborhood. He added the applicants should monitor the sound during the event.

Nancy Kehoe stated they would be in attendance of the event and would be monitoring the event and sound.

Commissioner Meko stated the sound should not be audible 250 beyond the premier of the event.

Commissioner Leong stated Hamilton was a great school and the event was a great cause by providing students with support that they may not be able to afford to attend the school otherwise.

Commissioner Alan moved to approve to11:00 P.M. Commissioner Leong second the motion.

VOTE:

AYES - Commissioner Meko, Commission Alan, Commissioner Shlain,Commissioner Leong andCommissioner Pred

NOES - None

ABSENT - Commissioner Joseph and Commissioner Lorin

b) Sims, Jason, dba "Royale", 1326 Grant Street, Place of Entertainment.

Jocelyn Kane stated Mr. Sims was a new owner and it was a type 48 license and 69-person occupancy. She added they would be open 6 days a week providing entertainment only Wednesday through Sunday 10:00 P.M. 2:00 A.M. She added the problem they have encountered was issued by the SFPD that allowed amplified sound in the form of a DJ. She added the conditions issued to the location were conditional use authorization were not paid much attention to in the previous issuance of the permit. Because they indicated that only non-amplified music shall be permitted. She added the conditions were issued to the location when it was a small self-service restaurant. She added staff was advised by Planning the motion was still applicable and the conditions had to remain. She added the only way could be changed is if they go back to the planning department. SFPD recommended approval with some conditions. She added Planning said the current set of conditions had to apply with this permit. She added staff recommends a conditional grant of the permit.

Mr. Jason Sims stated they thought it was pretty clear looking at the conditions that it seemed like the attachment from the Planning Commission was to a previous place. He added it seemed it was nullified that it allowed amplified music to a certain level.

Chair Shlain stated it would be critical that he secure his parameter.

Commissioner Meko stated in a case where there was a difference between the Planning Department conditions the police or any other conditions when it came down to conditions of land use the Planning Department prevailed. He added if the police were in error in granting amplified sound they do not trump the provisions that were in the planning code. He added being a conditional use meant it was not "of right" type use and was granted on a conditional bases. He added if the applicant was not happy he could go to Planning Department and overturn his case.

Commissioner Alan stated the Commission could make a conditional grant that did not specify the type of music or entertainment and that could be controlled by the Planning Department's conditional use process. He added it would make it easier for the applicant because once he had gone to the conditional use process he would not have to come back for before the Commission.

Commissioner Meko moved to approve the application in confirmatory with her Planning Department conditions.

Commissioner Alan stated should the conditions be changed the applicant need not reappear before the Commission.

Public Comment

No public comment

Commissioner Alan moved to approve the application in confirmatory with the Planning Department conditions with the caveat should the conditions change the applicant need not re apply before the Commission Commissioner Meko second the motion.

VOTE:

AYES - Commissioner Meko, Commission Alan, Commissioner Shlain,Commissioner Leong andCommissioner Pred

NOES - None
ABSENT - Commissioner Joseph and Commissioner Lorin

4. Report from the Executive Committee.

Commissioner Meko stated last week the Executive Committee meeting had the meeting about issues that were raised about the Rolling Stones Concert. He added they had about a dozen member of the public that spoke and there were two-television station present and the Examiner and Chronicle. He added the only significant complaint was that it was before a committee of the Entertainment Commission rather than the full Commission. He added there was a logical reason why it belonged in committee because the Executive Committee was suppose to take all the time necessary to come up with recommendations regarding policy. He added the Potrero Booster met the following evening and they were overwhelming possible of how the hearing went. He added the main issue was need for better communication and better cooperation between all of the agencies. He added the next time it happens everyone would be much more on the same page. He added that the Commission was joined by Captain Dennis O'Leary from Southern station and permit officer Rose Meyer. He added Captain O'Leary apologized to the Commission and the public about the comment made with regard to there was nothing the Police Department could do because the Entertainment Commission issued the permit for the event.

Bob Davis stated there was a lot of positive feedback from the Port and the Mayor's office.

2. Report from Executive Director on the following.

Bob Davis stated he met with the North Beach Merchant Association and had subsequent the head of the North Beach Merchants, commander Tacchini and Captain Dudley. He added the issues surrounding North Beach were complicated because they did not involved specific nightclubs but the attractive nuisance as a result with young people bridge and tunnel who come over and make a nuisance of themselves. He added there were altercations and incidents don't necessarily involve the people attending the nightclubs. He added they were setting up some meetings with all the venue owners and security and night managers, night watch and Officer Crisp and captain Dudley along with other members of the merchant's association to go through training sessions. He added it would go a long way to alleviate some of the problems that the police say results in them having staffing issues.

5. Report from the Legislative Committee.

Commissioner Alan stated the Legislative Committee will be meeting on Friday, February 10, 2006 and he will give a report at the next commission meeting.

6. Commissioner Comments and Questions.

Commissioner Alan stated it was a proud moment to be hearing about the activities of the president and staff the involved public and the city officials to be watching the cityscape explode with new investment and entertainment and tackling the challenges that attractive nuisances brought to San Francisco. He added the idea of creating the Entertainment Commission was the right thing to do. He added the very first thing that he and Robert Davis started on when the Entertainment Commission was rolling to free Bill Graham from the clutches of his grave. He added RFP would go out for Bill Graham Civic Center Auditorium. He added the Commission and staff needed to bring creative ideas that work so they did not end up with just a formulaic Civic Center entertainment device.

Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings.

Commissioner Pred stated he was working on a presentation of fire performers and to expect see the presentation in the next couple of weeks.

7. **Adjournment**

6:58 P.M.

Entertainment Commission
City and County of San Francisco

Notice and Agenda for Meeting
Tuesday, February 21, 2006 at 5:00 P.M.
Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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Call to Order and Roll Call.

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#1
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Public Comment: Members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission. With respect to agenda items, members of the public may address the Commission for up to three minutes at the time such item is called.

1. Review and approve minutes of February 7, 2006. **[Action Item]**

2. President's Report Broadway Corridor **[Discussion]**

3. Presentation from Bernice Casey with the Department on the Status of Women Adult Sexual Assualt Task Force on *Who's watching your drink?*

4. Discussion and possible action Provisional Permit Policy it shall be the policy of the Entertainment Commission of San Francisco to provisionally grant a one-day event permit. This is a provisional grant, in that it becomes valid only upon receipt by the Entertainment Commission of the property owners written authorization to use said property, as well as approval by other departments that may include "Fire, Health, Building Electrical and the San Francisco Police Department." **[Discussion and possible Action Item]**

5. Hearing and possible action regarding applications for permits under the jurisdiction of the Entertainment Commission. **[Action Item]**

a) **Elabed, Sami, et al., dba "Duplex", 1525 Mission Street, Extended Hours Premises.**

b) **O'Neill, Eoin, dba "O'Neills Irish Pub", 747 3rd Street, Place of Entertainment.**

c) **DeBarajas, Guadalupe, dba "Club Malibu", 3395 Mission Street, Place of Entertainment.**

d) **Hemming, Paul, dba "Zen Compound", 55 Natoma Street, Place of Entertainment/Ext. Hours Premises.**

e) **Spingola, Steve, dba "Sadie's Flying Elephant", 491 Potrero, Billiard Parlor.**

6. Report from Executive Director. **[Discussion]**

7. Report from the Legislative Committee. Terrance Alan, (Chair) **[Discussion]**

8. Report from the Executive Committee. Jim Meko, (Chair) **[Discussion]**

9. Commissioner Comments and Questions.

10. Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings. **[Action Item]**

11. Adjournment.

Please see attached for the Entertainment Commission's interim policy on accessibility to its meetings.

DISABILITY ACCESS

Room **406** is wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #42 Downtown Loop, the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI services, call 923-6142. Large print agendas are available. Sign language interpreters are available upon request by contacting the Entertainment Commission Office at least two working days prior to a meeting. Individuals with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities should also call the Entertainment Commission Office. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. A TDD phone for the Entertainment Commission is available on request.

The ringing and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Pleased be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at **www.ci.sf.ca.us/bdsupvrs/sunshine.** For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact:

Sunshine Ordinance Task Force
Donna Hall, Administrator
City Hall, Room 409
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Office: (415) 554-7724
(Fax): (415) 554-7854
(E-mail): Donna_Hall@ci.sf.ca.us

WRITTEN COMMENTS

Persons attending the meeting and those unable to attend may submit written comments regarding the subject of the meeting. Such comments will be made part of the official public record and will be brought to the attention of the Commission. Written comments should be submitted to the Entertainment Commission c/o Jocelyn Kane, Entertainment Commission, Room 453 City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

"Explanatory Documents: Copies of explanatory documents listed in this agenda, and other related materials received by the Entertainment Commission after the posting of this agenda, can be obtained during normal office hours at the Entertainment Commission office on the 4th floor of City Hall, 1 Dr. Carlton B. Goodlett Place, Room #453, San Francisco, CA 94102, and also, to the extent possible, will be available on the Commission's website at http://www.sfgov.org/entertainment."

City and County of San Francisco
Entertainment Commission

February 21, 2006

ENTERTAINMENT COMMISSION

City and County of San Francisco

MINUTES OF THE

February 21, 2006
City Hall, Room 406

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COMMISSIONERS

Present
Terrance Alan
Jim Meko
Jordan Shlain
Bowman Leong
Joseph Pred
Bruce Lorin

STAFF

Present
Robert Davis, Executive Dir.
Jocelyn Kane and Crystal Stewart

CALL TO ORDER

The Commission Chair called the meeting to order at 5:07 P.M.

ROLL CALL

Bob Davis called the Roll.

Present at the meeting were Commissioners Jim Meko, Bowman Leong Terrance Alan, Joseph Pred, Bruce Lorin and Jordan Shlain.

Absent at the time of roll call were: Audrey Joseph

Staff present was, Robert Davis and Crystal Stewart.

PUBLIC COMMENT

No Public comment.

1. REVIEW AND APPROVAL OF MINUTES

Commissioner Alan moved to approve the minutes of February 7, 2006
Commissioner Leong second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Shlain, and Commissioner Leong Commissioner Pred
NOES - None
ABSENT –Commissioner Joseph
ABSTAIN – Commissioner Lorin

1. President's Report Broadway Corridor

Chair Shlain stated he viewed a lot more police barricades and police presence and a different element in the North Beach area. He added there needed to be an investigation on what was happening in the area and how they could manage as the Entertainment Commission to assist them in improving the district.

Hal Russek stated he was the general manager of Enrico's on Broadway and represented the North Beach Merchants Association. He added they had gotten into a time where other Grant Ave Merchants in North Beach were begining to feel the issues with the Broadway area were affecting them. He added the crime had existed on Broadway had now spread into those areas and were affecting the business and they joined him being feed up with the situation. He added they hoped the Entertainment Commission would be part of the solution. He added North Beach played a role with respect to the entire city. He added it was a historical cultural destination spot depended on by the hotels and destination spot for tourist. He added the hotels were reluctant to send their guest to North Beach and Broadway on the weekend for fear of what might happen with increased theft, assault and vandalism off the Broadway corridor He added he would appreciate any help the Commission could give them with respect to enforcing the license given to the business.

Commissioner Alan asked if he had seen the area get bad and better then get bad again.

Mr. Russek stated it had become a much more menacing place then he had remembered it in his 51/2 years.

Chair Shlain stated in speaking with some of the merchants the Commission had permitted that were near other venues there were some venues that were not operating under the Good Neighbor Policy. He added the Commission had to put some teeth into the permits with respect to probation periods.

Commissioner Alan stated what they were experiencing was concentrated because the number of venues in North Beach. He added as he spoke to other club owners around the city it was repeated all over the city. He added because there were so many venues there it attracted a large attractive nuisance. He added Mr. Russek testimony had been helpful.

Commissioner Meko stated in the Executive Committee they were concerned about the conditions stipulation the Commission put on their permits that operators turn around and ignore as well. He added they too were looking into how to enforce it better.

Bob Davis stated they had some meetings scheduled with club owners to talk about management that Captain Dudley and their nightshift would be participating in.

3) Presentation from Bernice Casey with the Department on the Status of Women Adult Sexual Assualt Task Force on *Who's watching your drink?*

Chair Shlain stated the item would be continued since the speaker was not present.

2. Discussion and possible action Provisional Permit Policy it shall be the policy of the Entertainment Commission of San Francisco to provisionally grant a one-day event permit. This is a provisional grant, in that it becomes valid only upon receipt by the Entertainment Commission of the property owners written authorization to use said property, as well as approval by other departments that may include "Fire, Health, Building Electrical and the San Francisco Police Department."

Commissioner Alan stated the item was moved from the legislative Committee onto the floor for the full Commission to vote to create policies so that staff had a clear indicator how to respond to a request were the negotiations with a potential landlord might protracted. He added it would be very similar conditionally granting a permit condition upon the permittee getting his lease signed.

Commissioner Lorin stated his only concern was that the building was safe and secure and as long as it was a safe environment for everyone.

Commissioner Meko stated looking through the sign off's of fire, health building, and electrical SFPD planning was not included.

Commissioner Alan stated he would accept the friendly amendment to add planning.

Bob Davis stated it was a one-time permit and Planning should not necessarily be added to the list of sign offs. He added that Fire, Health Building, Electrical and SFPD were the departments staff went to for a one-time permit.

Commissioner Lorin stated there had to be some time of land use issue resolved before it came to the attention of the Commission. He added did it require for the applicant to submit a security

plan and a medical plan.

Commissioner Pred stated did the permit process mirror step by step the regular permit process.

Bob Davis stated it was a separate set of forms and there was a procedure in place to contact the fire department to determine the safety of the building and occupancy load. He added it did not necessarily require that you submit a medical plan.

Commissioner Pred stated he would like to make a friendly amendment to the motion that a medical plan is added to insure public health and safety of a venue that was not normally used so proper planning a preparation could be made even if the event was small in size.

Bob Davis stated he would like to have further discussions so that staff understood the adequately of a medical plan.

Commissioner Pred stated after the next executive Committee meeting they should have more direction for staff in place.

Public Comment

Mark Rennie stated the legislative charge was to help promote entertainment in San Francisco and the Commission would be making it impossible for someone to get a one-night dance permit or they would have to hit the lottery, especially they would add planning. He added the Commission should think twice before they did it.

Commissioner Alan moved to approve
Commissioner Meko second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Shlain, Commissioner Leongand Commissioner Pred
NOES - Commissioner Lorin
ABSENT – Commissioner Joseph

Chair Shlain asked Captain to speak and educate the Commission on what he was seeing everyday and on the weekends in the North Beach area. He added and give the Commission some ideas to change the climate in some way.

Captain Dudley stated there was an over saturation of alcohol permits and entertainment permits in the area. He added there was an average of five arrests every Friday and Saturday night. He added there was an overcrowding of clubs on a regular basis. He added he has asked for cooperation from the Fire Department and they saw it as an enforcement angle they were not responsible for. He added there was some public safety issue that needed to be addressed and the shootings at clubs needed to be looked at for causation. He added all the current permits needed to evaluated and updated.

Chair Shlain stated there needed to be an updated list on what permits venue's had and who the owners were and send it to the Police station so they could do a quick reference to a list of the clubs. He added without it there would be confusion on any given night.

Captain Dudley stated it was an encumbersome situation for officers at night to try and verify permits with clubs. He added he would like to meet with the Commission and present a list of options and recommendations that would help with enforcement and look at long-term enforcement issues and fines that could possibly be generated to go back to the Entertainment Commission to help with enforcement. He added he was a huge advocate of a task force or group and would be happy to help. He added once word got around there were no teeth behind getting a place of entertainment permit that the Commission would see more scuff laws.

Commissioner Lorin stated the long-range plan over five years ago was all the permit information would be available to the officers at the station and up-to-date on the commuter.

Bob Davis stated each time the Commission issued a permit each station and permit officer was issued one along with the conditions. He added the district stations were not tied into the Commission's database and there was no information sharing and in each instance it was a paper trail.

Commissioner Lorin stated the Commission was handcuffed when it came to issuing permits and the Commission was obligated by law on how they issued permits; unless there were certain circumstances they could not. He added if it was brought to the Commission they were able to hand out suspensions for violations of the simplest rules and were willing to cooperate with the police on whatever they need if they could provide any violation of the permit of conditions.

Captain Dudley stated would it apply to an application that was pending a permit. He added were repeated violations pending approval were they considered when granting a permit.

Commissioner Lorin stated the Commission did not have jurisdiction until they had a permit in their hands. He added prior violations were not in their prevue in the granting of a permit.

Chair Shlain stated it was important to get reports with respect to the clubs that were brought before the Commission and at said time hold a potential suspension hearing. He added to date the Commission received a lot of information.

Commissioner Pred stated any footwork the officers were able to provide in terms of a paper trail, documentation that showed a consistent problem would not be wasted to the Commission. He added when complaints had come forth with out that documentation it made it harder for the Commission to use it to effect change with the permittees. He added he appreciated the spirit of Captain Dudley coming to the Commission to work with them to work together to solve the problems.

Commissioner Leong stated there should be a list of permits given to the Police Department to update them on changes.

Bob Davis stated the Police Departments did get a list of updates on the new permits.

Commissioner Alan stated a discussion was had between Captain Brown and himself and Permit Officer Torres regarding putting together a Friday evening task force with the ABC and the Permit Officer and the Captain. He added each of the permitted venues was visited that Friday night. He added there was a dialog between the Police and the permit holder. He added it reinforced in the permittees mind what their legal responsibilities were. He added it could be one step to be taken to bring the various permitting departments together to go in task force.

Commissioner Lorin stated he would make himself available to assist the Captain to go to inspections and authorize citations to be issue on behalf of the Entertainment Commission.

Chair Shlain stated as they went forward they might want to put together a task force that consisted of the Police, Fire, District Attorney, the ABC and the Entertainment Commission involved to come up with some comprehensive solution to make it a simple process.

3. Hearing and possible action regarding applications for permits under the jurisdiction of the Entertainment Commission.

a) Elabed, Sami, et al., dba "Duplex", 1525 Mission Street, Extended Hours

Premises.

Bob Davis stated the applicant applied for extended hours premises permit on January 17, 2006 after operating with only a Place of Entertainment for six months without incidents, complaints, and calls for service etc. He added the Duplex was a small 21 plus lounge with a 49 person occupancy and the applications is to remain open until 4:00 A.M. Monday through Sunday serving only non-alcoholic drinks. He added Company B recommended approval with conditions and Planning indicated it was a permitted use without restrictions of hours of operation. He added the applicant had succeeded in getting all their approvals and staff recommended granting the permit.

Commissioner Meko asked did the applicant meet with any local neighborhood associations or groups concerning his proposed use?

Sami Elabed stated they did when the applied for the entertainment permit. He added he put no because he did it six months ago.
He added they did not have a lot of neighbor is the area.

Commissioner Meko stated around the corner there were residents around the corner and in the area. He added it would behoove them to talk to the neighborhood associations. He added he should have a cell phone number available to the neighbors that will be answered by someone of authority.

Antwone Coumuirolle stated they did talk to the neighbors about the extended hours. He added people who had concerns with their venue being open until 4:00 A.M. should be present. He added they had been in operation for six months with no complaints.

Commissioner Alan stated the gentlemen had complied with the posting requirements and there were no letters of opposition.

Public Comment
No public comment.

Commissioner Alan moved to approve
Commissioner Lorin second the motion

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Shlain, Commissioner Lorin and Commissioner Leong
NOES - Commissioner Pred
ABSENT -Commissioner Joseph

b) O'Neill, Eoin, dba "O'Neill's Irish Pub", 747 3rd Street, Place of Entertainment.

Bob Davis stated the applicant applied for a Place of Entertainment permit on January 20, 2006 for a new venue near the ballpark known as Curve Bar and Park Bar. He added it would be a type 47 ABC license that will offer food and drink to primarily adult cliental and entertainment will include celtic and modern live performances. He added the Planning Department has indicated it was a permitted use without regard to hours. He added Company B recommended approval with conditions. He added staff recommended granting approval for the permit.

Commissioner Meko stated Chair Shlain asked him to take over the meeting.

Public Comment
No public comment

Commissioner Leong moved to approve

Commissioner Pred second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner LorinCommissioner Predand Commissioner Leong
NOES - None
ABSENT - Commissioner Joseph
EXCUSED - Commissioner Shlain,

c) DeBarajas, Guadalupe, dba "Club Malibu", 3395 Mission Street, Place of Entertainment.

Bob Davis stated the applicant applied for permit on January 20, 2006, after being advised by SFPD Office Pubill that a permit was required after the current owner purchased this existing business. Ms. DeBarajas has a Type 49 ABC license, and caters to a diverse crowd in the outer mission with occupancy of 200. The Planning Dept. has indicated that this use is permitted. SFPD Co. H has indicated a lengthy list of conditions that they would like considered. These conditions were submitted to staff after meetings between the Northwest Bernal Alliance and the applicant. He added staff recommended conditionally granting the permit.

Michael Miller stated he was with Northwest Bernal Alliance and would be speaking for the applicant because she had difficulty speaking English.

Commissioner Meko asked if the applicant had conversations with the North West Bernal Alliance and was she aware of all the conditions.

Guadalupe DeBarajas stated she had and was aware of the conditions.

Commissioner Lorin stated the Commission made persistence in the past that they would not endorse outside stipulations as part of a permit process. He added whatever the applicant decided with out side origination was between them and the organization.

Bob Davis stated they had informed Northwest Bernal Alliance conditions were not binding on the Commission and informed Officer Smith at Ingleside station. He added Jocelyn informed the applicant that meeting with Northwest Bernal Alliance was an important step to get a Place of Entertainment.

Public Comment

Laurel Munniz stated she was the president of Northwest Bernal Alliance. She added it was news to her that the Commission would not consider their conditions and they were not bound by it. She added they had not received anything in writing.

Bob Davis stated that staff did send a specific notification. He added on a similar case before them the Commission could not be bound by any agreement accept that of the Planning Department.

Laurel Munniz stated she was present today to put a name to a face and for the Commission to learn about the Northwest Bernal Alliance and what the actually did. She added through the permit officer they received notification of every business that wanted an alcohol license or a permit for entertainment or to change the use of their site. She added when they met they shared the history of the challenges they faced in the area and what the current conditions were in the neighborhood. She added they also shared their expectations in regards to what their contribution to their commercial and entertainment corridor should be. She added they asked them to sign the terms of agreement because they worked and opened the door for conversation in case there were problems. She added as an organization they did not just serve the neighbors they served the merchants and property owners and felt they were all in this together. She added they meet with Ms. DeBarajas because there were some aggregated complaints of assault and noise. She added in the course of the meeting they discovered they had been operating for months without an entertainment license. She added once they found that out they opted not to operate as a place of entertainment until they could get their permit. She added they want them

to reopen and want them to do well. She added they wanted their neighborhood to be safe and a pleasant experience for those that lived there and came to enjoy the entertainment. She added towards that effort she asked the Commission to consider applying those conditions that were within the Commissions legal guidelines to Club Malibu and wanted it put into the record that they had sought out the conditions. She added they hoped they could all work together. She added she would like a letter sent to them with the regard to their conditions from the Commission.

Public comment closed.

Commissioner Meko stated he was sympathetic and encouraged applicants and the neighbors to talk, dialog and come to agreements. He added it was difficult to work the conditions into the permit and it was legally defensiable under the Commission's jurisdiction. He added they had the Good Neighbor Policy, which addressed a good number of the issues they were concerned with.

Commissioner Pred stated it would be beneficial for the speaker to have a copy of the Good Neighbor Policy. He added where the reports directly associated with the venue.

Bob Davis stated there were very specific problems and they worked with the permit officer. He added when the applicant came in and had their initial interview they did supposedly cease all operations and they were told by one officer that the problems did stop. He added they requested cad reports that specific to the club but had not been able to verity that they were all specific to the club and would have to question the officer.

Commissioner Leong stated on the second page it listed a bunch of ABC offenses and was obviously on the premises.

Commissioner Pred stated he had some concerns by the rather lengthy list of more specific complaints made by ABC.

Commissioner Alan asked was the format they received the Police Department Record and San Francisco Patrol record.

Bob Davis stated it was a different format and they normally got a cad print out. He added it was something that was compiled by the permit officer for staff.

Laurel Munniz stated the permit officer did not submit the list, it was submitted from the security guard and they passed it along because it did not look official to them and asked the permit officer to take a look at it.

Commissioner Lorin stated under the municipal Police Code it was informative but it did not receive any weight in the decision of issuance of permits.

Commissioner Lorin moved to approve including the Good Neighbor Policy
Commissioner Alan second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Lorin and Commissioner Leong
NOES - Commissioner Pred and Commissioner Shlain
ABSENT -Commissioner Joseph

d) Hemming, Paul, dba "Zen Compound", 55 Natoma Street, Place of Entertainment/Ext. Hours Premises.

Bob Davis stated that the applicant requested a continuance and staff recommended a continuance to work on some issues.

Mr. Hemming stated they wished to continue the item and would answer any questions.

Public Comment
No public Comment

Commissioner Lorin moved to continue the item to the call of the Chair
Commissioner Leong moved to the second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Pred, Commissioner Lorin and Commissioner Leong
NOES - None
ABSENT - Commissioner Joseph
EXECUSED - Commissioner Shlain

e) Spingola, Steve, dba "Sadie's Flying Elephant", 491 Potrero, Billiard Parlor.

Bob Davis stated the applicant applied for this Billiard Parlor permit that consisted of two 2 tables on February 8, 2006. This is an existing business with a new owner. SFPD Mission Station have no objections to this request for a permit. Planning Department indicates that this is a permitted use. He added staff recommends granting this permit.

Public Comment
No Public comment

Commissioner Pred moved to approve
Commissioner Leong second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Alan, Commissioner Pred, Commissioner Lorin and Commissioner Leong
NOES - None
ABSENT –Commissioner Joseph
EXCUSED -Commissioner Shlain

6. Report from Executive Director

Bob Davis stated there were a number of incidents they were looking into that occurred over the weekend one was a shooting that occurred at 1015 Folsom Street. He added he talked to Captain O'Neil and people at southern station and they were not prepared to release a report. He added they were investigating on their own as well as Vaj Granelli. He added the incident occurred on the bottom floor and was a gunshot at close range and there was one fatality and one person was wounded with a stray bullet. He added he would come back to the Commission at report. He added the Police requested the Commission to consider having wands as a requirement for pat downs.

7. Report from the Legislative Committee.

Commissioner Alan thanked the Commission for passing the provisional permit policy. He added they had continued dialog on updating entertainment ordinances as they exist currently and were looking into an all ages special dance permit and he would keep the Commission apprised as they moved forward. He added Bob would update the commission on the Street Performers legislation.
Bob Davis stated the Street Performers legislation was now being carried by Supervisor McGoldrick was continued and they have contacted the Art Commission and the City Attorney

to vet out some specificity to language and how they would oversee the program. He added the Commission agreed they would oversee the program as oppose to the Art Commission. He added the Port Commission was voting on allocating space for the street performers.

Commissioner Alan stated the Legislative Committee has struck from the agenda the ambient speaker permit and were continuing dialog about the Amplified Theatre permit and it would be an ongoing dialog.

8. Report from the Executive Committee.

Commissioner Meko stated the Executive Committee had not met since there last meeting and there was nothing to report.

9. Commissioner Comments and Questions.

Commissioner Pred stated the implementation of the Entertainment Commission's website would be an appropriate item for the Executive Committee would be to list our permit holders as a public reference. He added he would like to add to the Executive Committee agenda a policy to require for venues to have a medical plan in place. He added if they did not have one they would be required to submit one and if they did have one in place they would be required to review and suggest updates to improve the safety of their venue. He added that it should be added that venues security personnel should be identified as security personnel and should wear something that is visibly apparent to someone. He added he did not want to dictate how clubs operated but he did think there was value in being able to identify security and there was some value in adding it to the permits.

Commissioner Alan responded to Commissioner Pred's statements on security personnel somehow is identifiable. He added in a case of a venue such as his that allowed 18 and 19 year and 20 year olds to mingle with the drinking age it was imperative that they security officers that were not identifiable by any means whatsoever that monitored the premise for underage drinking. He added the Black Rock Art foundation of Burning Man had produced a Fire arts festival in Oakland. He added after being invited to view the event it was his personal mission to make sure the next Black Rock Fire Art Festival be held in San Francisco. He added they established direct liaison within the Fire Department and received a blessing to proceed ahead by which the festival could occur in May of this year.

Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings.

There was nothing to add.

10. Adjournment

7:24 P.M.

Entertainment Commission
City and County of San Francisco

Notice and Agenda for Meeting
Tuesday, March 7, 2006 at 5:00 P.M.
Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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Call to Order and Roll Call.

Public Comment: Members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission. With respect to agenda items, members of the public may address the Commission for up to three minutes at the time such item is called.

1. Review and approve minutes of February 21, 2006. **[Action Item]**

2. Hearing and possible action regarding applications for permits under the jurisdiction of the Entertainment Commission. **[Action Item]**

a) **Linn, William & Berstain, Monika, dba B.O.C.A, (Bar of Contemporary Art), 414 Jessie Street, Place of Entertainment/Extended Hours Premises.**

b) **Perry, Stephanie, dba The Irish Bank, 10 Mark Lane, Loudspeaker Permit, Saturday March 11, 2006, 6PM - 12AM (midnight).**

c) **Perry, Stephanie, dba The Irish Bank, 10 Mark Lane, Loudspeaker Permit, Friday March 17, 2006, 4PM - 12AM (midnight).**

3. Report from Executive Director. Update on the Public Safety Task Force and communications with the SFPD. **[Discussion]**

4. Report from the Legislative Committee. Terrance Alan, (Chair) Update on agenda items before the Committee. **[Discussion]**

5. Report from the Executive Committee. Jim Meko, (Chair) Update on agenda items before the Committee. **[Discussion]**

6. Commissioner Comments and Questions.

ENTERTAINMENT COMMISSION
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7. Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings. **[Action Item]**

8. Adjournment.

Please see attached for the Entertainment Commission's interim policy on accessibility to its meetings.

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San Francisco, CA 94102-4689

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(Fax): (415) 554-7854
(E-mail): Donna_Hall@ci.sf.ca.us

WRITTEN COMMENTS

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City and County of San Francisco
Entertainment Commission

March 7, 2006

ENTERTAINMENT COMMISSION

City and County of San Francisco

MINUTES OF THE
March 7, 2006 REGUARLY MEETING
City Hall, Room 406

Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

COMMISSIONERS

Present
Audrey Joseph
Terrance Alan
Jim Meko
Jordan Shlain
Joseph Pred

STAFF

Present
Robert Davis, Executive Dir.
Jocelyn Kane and Crystal Stewart

CALL TO ORDER

The Commission Chair called the meeting to order at 5:13 P.M.

ROLL CALL

Bob Davis called the Roll.

Present at the meeting were Commissioners Jim Meko, Terrance Alan, Joseph Pred, Audrey Joseph and Jordan Shlain.

Absent at the time of roll call were: Bruce Lorin and Bowman Leong

Staff present was, Robert Davis and Crystal Stewart.

PUBLIC COMMENT

No Public comment.

1. REVIEW AND APPROVAL OF MINUTES

Public Comment
No public comment

Commissioner Alan moved to continue the minutes of February 21, 2006
Commissioner Meko second the motion

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Shlain and Commissioner Joseph
ABSENT - Commissioner Lorin and Commissioner Bowman Leong
ABSTAIN -Commissioner Pred

1. Hearing and possible action regarding applications for permits under the jurisdiction of the Entertainment Commission.

a) Linn, William & Bernstein, Monika, dba B.O.C.A, (Bar of Contemporary Art), 414 Jessie Street, Place of Entertainment/Extended Hours Premises.

Jocelyn Kane stated the applicant applies for a place of entertainment and extended hours premises in early February she added they had a type 47-liquor licensee pending. She added the maximum occupancy was 99 and the entertainment would be mainly DJ's and electronic music. She added the location was under construction and there were a number of approvals pending the completion. She added planning indicated it was a permitted use without restriction of hours. She added Southern station recommended approval with conditions and staff recommend approval.

William Linn stated the concept behind BOCA was unique it was a social space they planned on operating as a café during the day and will be serving lunch and light dinner at night. He added they were an art gallery component that would feature rotating exhibitions of contemporary art. He added there would be a rotation video art and sound art program as well as rotating video art on a couple of screens. He added there would be music events mostly at night oriented toward the weekends.

Commissioner Joseph asked was the applicant trying to change their license from a 48 to a 47 license.

Monica Bernstein stated they started off with a 48 license and applied for a change to a 47

license.

Commissioner Joseph asked was it their object to do all ages at their venue. She added had they seen Southern station's approval and did they agree with it.

Monica Bernstein stated they changed it because they wanted to have outdoor seating and in order to serve alcohol outside they had to have a 47 license. She added they saw them.

Commissioner Alan asked what was the business prior to them taking the space.

Monica Bernstien stated there was a lobby and no businesses were present

Commissioner Meko stated did the applicant know the reasoning behind why people under 21 years were not allowed while there was entertainment. He added was it something they volunteered.

Monica Bernstien stated they put it on their permit just to detour for any potential problems of having an under age crowd on the premises. She added they did not volunteer but they were asked if they had entertainment on the premises would they allow 21 and under in their venue and she told her that they thought it was more hassle than its worth.

Commissioner Meko stated were there any precedent for restricting age if they had a type 47 license.

Commissioner Alan stated there were many licenses that existed specifically under the police department that restricted age. He added it had been the policy of the Commission to not do that so that the applicant took responsibility for the event and if they chose to restrict their age then they could do so.

Commissioner Alan stated if the applicant had an idea as to how and where their outdoor seating would be situated.

Commissioner Joseph stated she had concerns because the street was not wide enough.

Monica Bernstien stated they had some drawings. She added the amount of seating was pretty small the idea within a year the alley they were on would be pedestrian only.

Commissioner Alan asked the why the applicant felt with 99 people maximum security four individual would be responsible if they were entertaining an over 21 crowd.

Monica Bernstien stated there was two exits one in front and the one and back she added their security company came up with the idea of having that number of security. She added in thinking about condition No. 3 from southern there may be a time where they were open for dinner and they had a DJ playing but not necessarily having entertainment night where it was more about the entertainment than the food. She added they were not sure if they wanted to agree with the conditions because they could run into problems.

Captain O'Leary stated he could abide officer Rose Meyer's recommendations and will abide by any decision the Commission made.

Commissioner Meko stated the Entertainment Commission had adopted its own Good Neighbor Policy as of July 2004 and asked Southern station to use the Good Neighbor Policy as well.

Commissioner Alan stated with regard to age restriction the applicant brought up a good point. He added the applicant brought up an important point and it has been the mandate from the beginning to provide legal and safe environments for young adults to congregate. He added

while it may be the managers or owners decision at the time to restrict the age to 21 and up he did not think it was in their interest as a City body to state a city policy in that regard. He added they should not restrict the age of patrons as long as they were in compliance with their ABC permit.

Public Comment
No public comment.

Commissioner Alan moved to approve with the Entertainment Commission standard conditions that do not include a age restriction Commissioner Pred second the motion

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Shlain, and Commissioner Pred and Commissioner Joseph
NOES - None
ABSENT - Commissioner Leong and Commissioner Lorin

b) Perry, Stephanie, dba The Irish Bank, 10 Mark Lane, Loudspeaker Permit, Saturday March 11, 2006, 6:00 P.M. - 12: A.M. (midnight)

c) Perry, Stephanie, dba The Irish Bank, 10 Mark Lane, Loudspeaker Permit, Friday March 17, 2006, 4:00 P.M. – 12:00 A.M. (midnight)

Bob Davis stated the applicant applied for a loudspeaker permit for a private party and obtained a temporary street closure for the same hours and will be hiring 10-B officers to assist with security on the street. He added included in entertainment would be a DJ. He added there was a letter from the building manager of the Irish Bank who indicated they had no objections. Company A recommended approval until 11:45 P.M. He added staff recommended approval. He added the applicant applied for several other loudspeaker permits and staff request that if the Commission approved the permit and there were no problems then staff would have the ability to approve the event for St. Patrick's Day and one other day. He added the Entertainment Commission would be monitoring the event for March 11, 2006.

Stephanie Perry stated this was her first year to apply for permits and she has been working with the Irish Bank Restaurant for the past 10 years as a bartender and have worked the events in the past. She added the event for March 11, 2006 had occurred for the past three years and there were no problems. She added they hoped they could have the event again this year.

Commissioner Joseph stated were there many residents living near their venue.

Stephanie Perry stated they were part of a residential building and there were about 20 units living above them.

Commissioner Meko stated the applicants contact information that should include a cell phone number that will be answered at all times and suggested she resend a letter including a letter.

Stephanie Perry stated she would resend the letter out including her cell phone number in it.

Public Comment

Captain Dudley of central station. He added he received the application reviewed it and had no problems with the location. He added in the passed the permit hours had been until 11:45 P.M. He added 12 midnight would be fine with him.

Public comment closed.

Public comment for Item C
No public comment.

Commissioner Alan moved to approve item B & C together granting staff the authority to grant the further permits
Commissioner Pred second the motion

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Pred Commissioner Joseph Commissioner Shlain
NOES - None
ABSENT - Commissioner Lorin and Commissioner Leong

Commissioner Shlain arrived at 5:38 P.M.

Commissioner Meko stated Chair Shlain asked him to take over the meeting.

3. Report from Executive Director

Bob Davis stated the Mayor's office of Neighborhood Services and the Mayor's Office of Criminal Justice have formed a Public Safety Task Force and as a staff person he had been asked to attend to report on behalf of public safety as it relates to entertainment and the entertainment venues. He added at the last meeting he reported on what the security measures where enforced by the Entertainment Commission. He added there was a suggested to retroactively require all permitted venues to have a security plan that is approved by Entertainment Commission and the Police Department and the city attorney was looking into it. He added subsequent to that meeting there was another shooting this past Saturday at the West Bay Community Center on Fillmore and Eddy Street, which was a venue the Entertainment Commission permitted. He added they did not have a security plan and did not have adequate security on the outside. He added three people were shot on the outside when the venue was closing and it indicated the measure might be important. He added he would report back to the Executive Committee first on the progress. He added there was ongoing communication with the SFPD and he and Jocelyn would be attending the Captain's meetings on a regular basis and he would update the Commission.

Commissioner Joseph stated it was important that they understand what the club owner needed and how they could make them effect safety for their business. She added it the nightclub representative should be involved in the meetings.

Public Comment

David Pilpel stated the annual sunshine and Ethics training had been scheduled. He added public comment section should be numbered and suggested the Commissioners names be added to the agenda.

4. Report from the Legislative Committee.

Commissioner Alan stated the legislative Committee met once a month and would meet again on Friday, March 17, 2006.

5. Report from the Executive Committee.

Commissioner Meko stated the Executive Committee meeting had not met in a long time and there was nothing new to report. He added they decided to meet only once a month and meeting dates fell on holidays.
He added as he reviewed their accomplishments they have created a system of rotation when they were taking votes. He added the old Executive Committee left them with a nearly complete set of recommendations and procedures for speeding up and making the process for hearings and suspensions and revocation more efficient and it went off to the City Attorney's off and had not

been seen since. He added they began the new Executive Committee with encouragement from the full Commission to explore administrative approaches to dealing with violations of conditions on the permits. He added they discussed establishing policies for implementing task tracking to understand what staff was doing in the Commission and it has not come forward. He added they discussed possible legislation that would allow staff to issue citations to follow up on but they have not put together any recommendations of policies and have not brought it to the full commission. He added they discussed policy recommendations for loud speaker permits at outside venues and they promised the public they would give serious thought deliberate on changes in policy before staff issued any more loud speaker permits for outdoor rock concerts. He added there were about 10 items that were up in the air. He added he wanted to bring some clear recommendations before the Commission what they do when SBC requested a loudspeaker permit. He added he hoped they would begin to narrow the focus of the Executive Committee and begin to move a couple of items through. He added they would try to meet twice a month and they needed another member to the Executive Committee.

Commissioner Joseph stated they put a policy in place to bring any issues they could not resolve to the full Commission and did not feel that was the case.

6. Commissioner Comments and Questions.

Chair Shlain stated there were a long list of things the Commission had heard about that had not gone anywhere and he would like to put the mandate in front of the Commission by the third meeting from today they have a hearing process that had been vetted by the City Attorney and run through the Executive Committee and came to a full vote. He added they needed to streamline the Revocation Suspension hearings and they came up with a mechanism and would like to see it back at the Commission in month from today and he would work with Bob and the Executive Committee. He added he was interested in helping the clubs of North Beach, Merchants and the Police all work together to come up with a solution with the issues in North Beach.

Commissioner Pred stated he did not share the dower out look that was presented by Commissioner Meko about the Executive Committee. He added they had a lot of new agenda items that were just in the process or half way through the process of being done and he thought two meetings a month was really needed and was glad Commissioner Meko agreed to that. He added he agreed that three members would help with the workload but did not feel the committee was lacking because the ability to deliberate had been fine. He added he met with the Fire Marshall and started the process of getting the AED information and asked that staff generates the information. He added he followed up with the Department of Public Health with the mass gathering policy and it went into effect on November 15, 2005 and staff or them the training and information and he was closing the loop with the Department of Public Health if there were any additional training materials that they be made available to staff. He added the framework in place was a city policy and he would forward the policy and the example formats they will adopt.

Commissioner Alan stated it was discussed a great deal about how to bring non-compliance venues he could not underscore the value of education and the value of meetings and community encouraging compliance with the Commission's directives and conditions. He added it they took the route of looking for citations and penalties they would alienate and they should find a way to educate ongoing existing places of entertainment and divide the groups up and hold seminars for place of entertainment holders and go over what was going on in the city. He added a lot of voluntary compliance would come out of that process. He added everyone in the nightclub industry especially with the rash of shootings and the violence they were seeing in our society shared his concerns.

Chair Shlain stated he agreed with Commissioner Alan's comments but agreed there needed to be blend of awareness of a penalty box and education.

Commissioner Joseph stated the problem with the permit officer issuing citations were that the Commission operated under police code 1060. She added unless they moved that code into the administrative code and then give the Commission's permit officer the right to administer an administrative citation we will never have the right to administer a citation under the police code because their permit officer was not a police officer. She added part of the problem in the neighborhoods was public relations she added it was the police public relations. She added there was negative PR that attracted people and the who ever was doing the police's departments PR really needed to be educated to turn it around because they were sending a message to every thug in the Bay area to come to San Francisco because the police was stretched too thin. She added they did an education with the Bayview clubs and it really worked.

Public Comment

Davis Pilpel stated if the Commission proposed legislation to the Board to amend a section of the police code allowing the Commission to enforce some other provision in that through the Commission's enfocement mechanism. He added it did not matter if it was in the police code as long it was in the munciple code.

7. Adjournment 6:53 P.M.

Entertainment Commission
City and County of San Francisco

Notice and Agenda for Regular Meeting
Tuesday, March 21, 2006 at 5:00 P.M.
Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102

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MEMBERS OF THE COMMISSION

Terrance Alan, Commissioner - *Industry Representative*
Audrey Joseph, Commissioner - *Industry Representative*
Bowman Leong, Commissioner - *Urban Planning Representative*
Bruce Lorin, Commissioner - *Law Enforcement Representative*
Jim Meko, Commissioner - *Neighborhood Representative*
Joseph Pred, Commissioner - *Public Health Representative*
Jordan Shlain, Commissioner - *Neighborhood Representative*

1. **CALL TO ORDER AND ROLL CALL.**

2. **PUBLIC COMMENT:**

   Members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission. With respect to agenda items, members of the public may address the Commission for up to three minutes at the time such item is called.

3. **REVIEW AND APPROVE MINUTES** of February 21, 2006 and March 7, 2006. **[Action Item]**

4. **Adult Sexual Assault Task Force's presentation before the Entertainment Commission from Ann Brennan.**

5. **HEARING AND POSSIBLE ACTION regarding applications for permits under the jurisdiction of the entertainment commission. [Action Item]**

   a) **Hemming, Paul, dba "Zen Compound," 55 Natoma Street/540 Howard St., Place of Entertainment/Extended Hours Premises**

   b) **Martinez, Joel, et. al., "The Comedy Station," 244 Taylor Street, Place of Entertainment.**

c) **Bair, Jack, dba "SF Giants/Giants Enterprises/Aquire the Fire Concert," AT&T Park, Loudspeaker Permit, March 24 5PM - 10PM and March 25 10AM - 10PM.**

6. **REPORT FROM EXECUTIVE DIRECTOR. Update on: North Beacg Task Force, Captain's meeting and North Beach Seminar.** [Discussion]

7. **REPORT FROM THE LEGISLATIVE COMMITTEE**. Terrance Alan, (Chair) Update on agenda items before the Committee. **[Discussion]**

8. **REPORT FROM THE EXECUTIVE COMMITTEE**. Jim Meko, (Chair) Update on agenda items before the Committee. **[Discussion]**

9. **COMMISSIONER COMMENTS AND QUESTIONS.**

10. Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings. **[Action Item]**

11. **ADJOURNMENT.**

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DISABILITY ACCESS

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City and County of San Francisco
Entertainment Commission

March 21, 2006

ENTERTAINMENT COMMISSION
City and County of San Francisco

MINUTES OF THE

March 21, 2006
City Hall, Room 406

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Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

COMMISSIONERS

Present
Terrance Alan
Jim Meko
Jordan Shlain
Bowman Leong
Audrey Joseph

STAFF

Present
Robert Davis, Executive Dir.
Jocelyn Kane and Crystal Stewart

1. CALL TO ORDER

The Commission Chair called the meeting to order at 5:06 P.M.

ROLL CALL

Bob Davis called the Roll.

Present at the meeting were Commissioners Jim Meko, Bowman Leong Terrance Alan, Jordan Shlain and Audrey Joseph

Absent at the time of roll call were: Bruce Lorin and Joseph Pred

Staff present was, Robert Davis, Jocelyn Kane and Crystal Stewart.

2. PUBLIC COMMENT

Monica Blaylock stated she lived in the Mission area and her apartment faced the back of the bar 12 Galaxies. She added they have been having a lot of noise issues with the bar and because of that she was present with some of her neighbors five months ago asking for the help of the Commission. She added the Commission advised the bar to fix the noise problem and while fixing it to turn the volume down. She informed the Commission that 12 Galaxies had not followed the Commission's advice and ignored her request to turn the volume down. She added they had three of their phone numbers and sometimes they don't answer any of them. She added she had family and friends that were visiting her and they had a hard time falling asleep. She added they always say they are about to do something to fix the problems but the reality was the problem still existed and they refused to turn the volume down. She added they had a lot of good intentions but she had not seen any action and wanted to request once again the help of the Commission for the bar to follow the rules and respect their neighbors.

Scott Dudley stated he resided in San Francisco and he was present to talk about 12 Galaxies and that it had been five months since he last appeared before the Commission and now fourteen months since he first contacted the club about the problem. He added the times that he called the club this year they have never picked up the phone and had no contact from the club since January, except when he had to go over there to tell them to turn the sound down and they did nothing. He added they had no plan for fixing the noise issue. He added the club did do some work prior to the October meeting to try and improve their sound proofing level but it felt like they were playing louder which cancelled it out. He added he had spent a personal expense of $5,000.00 dealing with the problem. He added his report from his acoustical engineer that it was a significant and ongoing problem and he needed to replace all of the walls and the windows in all the rear units of his building. He added the increase of ambient was 8 to 10 DB in some cases with the peaks. He added the club was not making a good faith attempt to measure the problem. He added the location of bedroom made him more impacted than others. He added he would like the help of the Commission to solve the problem.

Barry Taranto stated he went to 12 Galaxies last week and they had a nice band and he thought it was important for them to work it out because the venue served a purpose of specialty type

shows and it was important to now throw out the baby with the bath water regarding these types of clubs because they were few and far between and they served purpose. He added the End Up had changed their attitude and the new security staff were nice and they were adding new programs there and clubs like Ruby Skye and the End Up should be used as examples to get down on clubs were their attitudes were to attack everyone and that was not the way to do it because not everyone was out there to cause problems and just wanted to have fun. He added he hoped if there was some way to make it easier for cabs to know when streets were going to be closed in North Beach and what access they had rather than having to figure it out and then get tuned off to serve the North Beach restaurants, bars and clubs because it had become a hassle at times. He added if they wanted service there to deal with the drunk and immature people they dealt with on the weekends they would need more cooperation from the police department.

Public comment closed.

3. REVIEW AND APPROVAL OF MINUTES OF FEBRUARY 21, 2006 AND MARCH 7, 2006

Public Comment
No public comment.

Commissioner Leong move to sever the minutes of February 21, 2006 and March 7, 2006 Commissioner Alan second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Joseph and Commissioner Leong
NOES - None
ABSENT – Commissioner Pred, Commissioner Lorin and Commissioner Shlain

Public Comment
No public comment.

Commissioner Leong move to approve the minutes of February 21, 2006 and Commissioner Alan second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Joseph and Commissioner Leong
NOES - None
ABSENT – Commissioner Pred, Commissioner Lorin and Commissioner Shlain

Public Comment
No public comment.

Commissioner Alan move to continue the minutes of March 7, 2006 and Commissioner Meko second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Joseph and Commissioner Leong
NOES - None
ABSENT – Commissioner Pred, Commissioner Lorin and Commissioner Shlain

4. Adult Sexual Assault Task Force's presentation before the Entertainment Commission from Ann Brennan.

Ann Brennan stated she was the Co-Chair for the Adult Sexual Task Force for the City of San Francisco and they were present to talk to the Commission about a campaign that the task force had been working on the past two years about drug facilated sexual assault in the City of San Francisco and the increase in sexual assault victims they were seeing in the both in the hospital and through the police department. She added they had the opportunity to talk to some of the bar

owners in the city bouncers and the bartenders. She added they were asking the Commission in terms of help in trying to get the word out so they could do more public education about the problem. She added they asked the bars and the bars they have gone to and they have decided to become very proactive. She added being proactive and getting the word out could actually be a good thing for the bars. She added the amount of people they see in the general that were sometimes escorted out of bars by people attempting or looking like they were trying to help them when they actually drugged their drink and brought them outside and the victims sometime disappear for a few hours, sometimes 24 hours sometimes a couple of days. She added they had a horrible case were someone didn't even know they were sexually assaulted until a friend saw her on the internet nude having sex while pictures were being taken of her while she was being drugged. She added they were asking the bar tenders in the city and the Commission to help them spread the word and they were trying to be proactive and preventive. She added if people were going out with their friends do the buddy system watch your drinks and do not leave your drinks unattended at a bar and go back and drink them without having someone that had watched them. She added do not accept drinks from strangers. She added they were seeing a rash of things that have occurred in some of the hotels down town with visitors that came in and went to bars that were also assaulted.

Ron Reynolds with SFPD Sex Crimes stated he had been there for about six years and frankly they were not doing a really great job on the drug facilated sexual assault. He added one of the problems were the medications cause the victims to have complete amnesia and they had to put it together forensically. He added what they have tried to do with the task force was to educate the bar and club owners and let them be their eyes and ears so when they saw something occurring at the club they would call the police so they could intervene before they end up with another victim at the hospital and trying to put the investigation together. He added they had a lot of luck and most owners were receptive to this because they wanted to make their club safer too. He added it seemed like it was not working on the end after trying to put it together after the crime occurred and that's why they were asking for help to get the suspects before the crime occurred. He added they got a lot of people that came to San Francisco to enjoy the nightlife and they got a lot of predators from the bay area that come to San Francisco to feed off these folks. He added they wanted to catch them and make it know that San Francisco was not a place to do this.

Commissioner Joseph asked if they had any of training to train security people for what to look for.

Ron Reynolds stated they had been doing they have went to the clubs were people were sexually assaulted and they would do a presentation and tell them what to look for and how to proceed.

Jocelyn Kane stated if they had more information to give the Commission it
Commissioner Joseph stated staff could contact clubs and get several clubs together at one time and do training in one place.

Jocelyn Kane stated it would be the perfect opportunity for her to hand out something to the applicant's during there permit application process in terms of how to get in touch with them.

Ann Brennan stated it was an educational process on both sides and it has really worked well. She added it was a good thing for a bar to say we can't guarantee their safety but that they were looking out for their patrons and she thought it was a positive thing.

Commissioner Alan asked did they have a relationship with the ABC Lead training and if there was a way that the lead training could be expanded to include a segment about this particular aspect of nightclub or bar life were alcohol was being misused. He added perhaps there could be a partnership there and he would be happy to help them facilitate it.

Commissioner Joseph stated if they could take 15 or 20 minutes of their hour and do the training while they were on the clock anyway the club owners would be more receptive to having

that done.

Commissioner Joseph stated she would like to move item 5C to the first position.

Public Comment
No public comment.

Commissioner Alan move to approve to move item 5C to the first position Commissioner Meko second the motion

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Joseph and Commissioner Leong
NOES - None
ABSENT – Commissioner Pred, Commissioner Lorin and Commissioner Shlain

5. Hearing and Possible Action regarding applications for permits under the jurisdiction of the entertainment commission.

Commissioner Meko stated the Commission held a hearing on January 30, 2006 to hear from the Giants the Police, the neighbors and the City Attorney and they acknowledged something different must be done. He added the Executive Committee was looking on a long-term basis for procedural changes recommendations for changes in their policies that will insure they will not have those kinds of problem in the near future. He added last night the Executive Committee agreed to a basic outline for their discussion that would go on at future meetings. He added the outlined included defining sound standards, a better definition of sound standards. He added the city had various ways to look at noise coming from events the 250-foot rule; that sound is not to be audible in any surrounding residence the 5-decibel above ambient standard. He added there was a pressing need for new legislation, which would more clearly address the issue with the various standards floating around. He added the legislative committee would be working on it and the two committees would work on it. He added there needed to be better notification both from the Entertainment Commission and the Giants specifically with regards to outdoor events at the stadium. He added there needed to be improvement between the Police Department and the Entertainment Commission. He added the recommendation the applications no longer be approved administratively by staff rather they come before the full Commission and the public had the right to give public comment. He added they wanted to go deeply into recommending stipulations that would mitigate the impacts of these types of events that worked well for the Giants as well as the neighbors. He added they wanted to define consequences for permit holders who did not abide by the stipulations. He added they would manage the actual event were they would look at having designated complaint line and a establishment of a hotline of people in authority during the event to be able to manage anything that was out of control. He added they wanted to develop consistent procedures for follow-up after the event.

c. Bair, Jack, dba "SF Giants/Giants Enterprises/Aquire the Fire Concert," AT&T Park, Loudspeaker Permit, March 24 5PM - 10PM and March 25th 10AM - 10PM.

Bob Davis stated the application was submitted on March 15, 2006 for a loudspeaker permit for AT&T Park. He added Aquire the Fire was a two-day concert expecting about 25,000 people with Christian rock bands and other speakers. He added the application was before the Commission in light of the recommendations that were made to the full Commission after the Special hearing regarding the Rolling Stones concert. He added it was a weekend event and the Entertainment Commission's sound technician would be working at the event. He added a direct line would be made available to the public to the public during the event for complaints. He added those were the conditions for this event that staff recommended in light of the ongoing discussions that were occurring with the Executive Committee.

Jack Bair stated he was Senior Vice President with the San Francisco Giants organization and Sara Hunt with the Giants organization was present who was the project manager in charge of the events and was familiar with all the details. He added it was a Christian your festival that had musical elements to it but was not a major component of the festival itself. He added some of the music was acoustic and some characterize as rock most of the use was for human speech. He added it was a small event in comparison to the Rolling Stones and Metlica concert and he did not expect there to be a impact in the manner that was felt in the last concerts. He added there would not be a sound issue and they were working with the Entertainment Commission and coordinating with the San Francisco Police Department to make sure there was communications and if there were complaints they could be immediately notified on site. He added both events planned to wrap up at 11:00 P.M. and they did not anticipate there being any problems with this type of event.

Commissioner Meko stated if they continued to have events there were certain things already written into the law that guide the Commission. He added they pertained to two areas 1060.5 determination of application which states the Commission shall grant permit unless that the building structure equipment or location of the proposed place of entertainment lacks adequate safeguards to prevent admissions of noise. He added there was a strong case developing if the applicant was unable to find some way to contain their sound and continue to operate they would be in violation of police code 1060.5.

Jack Bair stated they have 100's of events at the ballpark and they have only had two were they ever had any complaints in the first six years. He added it was important that it be placed in perspective and in addition to that they were a venue of many different venues in the city including Candle Stick Park and Golden Gate Park and every other location and he felt they managed their sound as well or better than most other venues in town. He added with the communications with the Commission and the Police Department they expected to be responsively operate their venue in such a way vast majority if not all the citizens were in agreement with it. He added the event proposed today would pose any issues but to the extend that U2 or some other band wanted to come here in the future they would like to accommodate them and work with the Commission to accommodate them and not to create rules such that no events like this could occur in the city and he was sure that was the Commission's goal as well. He added they would like to be included in the process were the restrictions were being discussed so that anybody that wanted to have a event be it at Candle Stick Park, at their venue or Golden Gate Park did not have a surprise waiting for them that they could not have such events in the future and thought they should be included in the process. He added like most things they have been involved and the City got involved in the institutions were involved and they were worked out to everyone's reasonable satisfaction in the end and he was sure that was everyone's goal and pledged their cooperation and make it a better situation going forward.

Commissioner Meko stated with regards to notification he knew there were members of the public present today that were going to say the first they knew about the event on tonight's agenda was going to occur when they received notification from the Entertainment Commission last week. He added did the applicant have any suggestions on how they would improve communication with the neighbors.

Jack Bair stated every month there was a citizen advisory committee that met that also had representatives from the Potrero Hill and they met and inform them of what was coming up in the next weeks and months at the ballpark and their website advertise what went on in the ballpark and they would work with the Commission to get the word out beyond that and beyond what they did if it was helpful.

Commissioner Meko stated they should add some other well-known neighborhood organizations to his list.

Jack Bair stated it was a good suggested to deal with problems up front.

Commissioner Alan stated he would like to provide perhaps a little contrast and a show of support of what they were doing at the ball Park in reaching out to use that facility that goes beyond the playing of baseball. He added when they took a venue that was designed for one specific sport and expand it they would have to go through a learning curb and he applauded that during the learning curb it has been with few problems. He added he wanted him to understand the Commission had a balanced view on that and not everything ran perfectly all of the time. He added they did not want to characterize the events because of its type of music and just character the impacts of that any music or spoken word would have and that would be the safe ground to tread.

Commissioner Joseph stated it has been her experience that the Giants were good citizens that reached out and participated in their community and donated back. She added they were trying to run a business that brought revenue into the city in the best possible way they could and obviously they could not run a ballpark just for baseball season and survive. She added they would like to do is foster the events the Giants put on to benefit the City of San Francisco and to get them in business so that San Francisco still had a baseball team.

Commissioner Shlain arrived at 5:44 P.M.

Lt. Greg McEachern stated he was the night watchman at Southern station and was speaking on behalf of Captain O'Leary Commanding Officer of Southern station. He added Commissioner Meko's outline had some extremely productive and advantageous things that needed to be looked at for future events that went on at the ballpark. He added the Police Department looked forward to that because if they were able to have an understandable outline and idea of what was going to happen and checks and balances it would make it so much easier for all of them. He added this weekend's event would have a dedicated line for the event for any calls that they receive in regards to noise complaints that would be answered specifically by the command post and directed straight to him to deal with any of the issues that may come up this weekend. He added having the sound technician out there for the event was a good step and would give them a chance to get some readings and what was going on out there in distances to see whether or not there were violations

Lt. Mc. Stated he seen the stage for the event but had not seen the speaker set up however he had seen the speaker set for the Rolling Stones and Metalica event and did not believe it would be the same. He added he had been at every concert given at Pac Bell Park since its opened up and there were two specific ones that were issues Dave Matthews and the Rolling Stones and he did not want to minimize the Rolling Stones because there were some extremely legitimate complaints the police received and some things they worked on to get better. He added it was his inkling that this event would not have the complaints he received from the other ones but only time will tell and they would deal with it. He added if they did receive complaints they would notify the Giants personnel who were in charge of it and if the request was made to turn the volume down that it be given to the promoter and those considerations be made by that promoter and if not they would deal with if it was warranted. He added they would follow up if necessary.

Bob Davis stated the dedicated line for the event was 415 218-1021.

Public Comment

Dick Millet stated he lived on Potrero Hill on Connecticut Street. He added he was glad to hear that they would handle the calls. He added he was with the Potrero Boosters and they have been big fans and enemies with the Giants since they first started. He added he did not know why they were not named in the list of community contacts for the Giants but should be contacted automatically because they knew of their organization for years and knew they were a very active organization. He added he would like to know who in Potrero Hill was on the Giants task force because he had not heard any thing about any of the meetings. He added the last meeting he went to was after the Rolling Stones concert was agendized there and since the Giants had not

shown up they were not going to talk about it but he told them they had to talk about it because he was from the public and he wanted hear what the South Beach group had to say the Rolling Stones concert and the problems they had in Potrero Hill he added the people in South Beach did not have a problem with it but they had a very big problem with it. He added today was Tuesday the 21st the concerts were Saturday and Sunday getting the phone number out or getting instructions on how to access the phone number was a little short and should have went out when the agenda went out. He added he hoped it worked, and it reads like they were going to go on with business as usual and he was disappointed.

Joe Boss stated he was a resident of Dog Patch. He added Commissioner Alan spoke of the learning curve and to be honest the Giants had been there for five and they had enough concerts and they have learned a lot he did think things like the Rolling Stones concert was an anomaly in the meantime they have learned things about speaker placement. He added going back a until few years ago there was more involvement on their part with the Potrero Boosters which he was also a member and Dog Patch Association. He added he thought it lagged with personnel changes of the Giants. He added he had some conversations with some people at the Giants and he thought they would cure that. He added the Citizen Advisory Committee that Jack Bair alluded to was probably the Redevelopment agencies Rincon South Beach which had four people's names with asterisk next to them for Giants stadium issues while the ballpark was being put together but since then there had been no link to their neighbors to the south. He added that it somehow had to be taken care of. He added the Entertainment Commission was finally maturing and getting their parts and pieces together. He added he would like to separate hysteria from reality and some of the reality they needed to face was there was a loud speaker ordinance in San Francisco that did not work for the Giants and did not work for activities in Golden Gate Park and out door movies because it was written in a time were the DB levels were 250 feet. He added it should be driven from the Entertainment Commission because they were in charge of loudspeaker permits. He added it was a great idea to have some form of committee get some of them together to talk about what really made some sense and tried to get the legislation to be something that was enforceable.

Commissioner Joseph stated the Commission had been considering a revision of the loudspeaker law for a long time it was a difficult process.

Tony Kelly resides on Potrero Hill on Connecticut Street. He added he was at the hearing the Executive Committee had on January 30, 2006 and a lot of the promises people made they were running away from and did not see the point of making the promises if they were going to avoid them a few weeks later. He added the Giants made a lot of promises at the hearing of January 30th about better neighborhood notification, improved neighborhood notification and better notification a dedicated phone number they would set up for complaints well before any new events. He added and here they were on the verge of approving a permit and they were barely getting their phone number and they already failed about communication. He added if not now when and how was it going to happen and at what point would they be held responsible for it? He added the event was not calendared until Thursday March 16th the event was coming up on Saturday and was a last minute approval process that game them no chance of appealing the decision. He added he read from the March 7, 2006 minutes that Commissioner Meko stated they discussed policy recommendations for loud speaker permits and outside venues and promised the public they would give serious thought and deliberate on changes and policy before staff issued any more loud speaker permits for outdoor rock concerts. He added if the Giants thought there was a serious threat to their event and the permitting they would have brought it up well before then. He added they did not take the permit process seriously, which brought them back to taking the Entertainment Commission taking the permit process seriously.

Mark Rennie lived in San Francisco stated there were about 50 or 100 people in San Francisco who felt they should have veto power over what ever happened in San Francisco. He added he got upset some nights when Barry Bonds hits a home run and fire works go off and his dog gets freaked out for an hour. He added he lived in the city and liked living in city and he wanted the Rolling Stones to come to San Francisco and he wanted U2 to come to San Francisco. He added he did not feel the Commission or a vital city should listen to 5, 10 or 20 people or a neighborhood group that had always tried to stop entertainment historically from letting it not

happen. He added they did need to revise the law because the city had to have U2 playing at Pack Bell Park. He added they had to have venues Golden Gate Park, Candle Stick Park were large events happened because that was what created a viable city.

John Wood with the San Francisco Late Night Coalition stated he concurred with Mr. Rennie. He added it seemed even the Potrero Hill neighbors had recognized the Rolling Stones were an anomaly and the Commission had reacted and the Police Department has reacted. He added he did not know what people expected to shut down one of the major venues in San Francisco. He added it seemed the issues were being worked out and better policies would develop and wished people would not overreact and let the process that had come from their own complaints lead to policy and pressure for overreaction that would not help the situation.

Public comment closed.

Commissioner Alan moved to approve
Commissioner Leong second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Shlain, Commissioner Leong
NOES - None
ABSENT -Commissioner Lorin and Commissioner Pred

a) Hemming, Paul, dba "Zen Compound," 55 Natoma Street/540 Howard St., Place of Entertainment/Extended Hours Premises

Bob Davis stated the reason for the two addresses were the specific property faced both on Howard and has entrance into the parking lot onto Natoma Street. He added the applicant applied for a place of entertainment and extended hours on January 7, 2006 after a lengthy consultation with staff. He added it was location previously owned and operated by Lawrence Lin aka Dr. Winkie who withdrew their application under the dba of Loops Studios. He added the knew applicant purchased the property and applied for a type 47 license and planned to open a club lounge and a full service dinner theatre to 4:00 A.M. Monday through Sunday. He added Cal Trans had made inquires to staff regarding the application but had not indicated any formal opposition to date. He added the Planning Department noted it was a permitted use without restrictions on hours of operations. He added the permit was agendized on February 21, 2006 and was continued at the request of the applicant. He added Southern station made recommendations on both levels of the proposed club and the addition of partner Matt Esling who submitted his name on the permit application. He added after a very thoroughly investigation they have looked at all the paper work including sales agreement since Mr. Lin was still in litigation with Cal Trans and therefore under advisement from Cal Trans the only way the easement was listed was because of a transfer of sell. He added staff recommends approval.

Commissioner Joseph stated how he would make it exiting for his patrons.

Paul Hemming stated the problem arose because Cal Trans owns the property, which was connected to 55 Natoma, and they rented it to a third party. He added during the daytime a lot of the access was blocked and that was part of the issue of the lawsuit with the previous owner. He added he contacted frank to get clarification as to what their understanding of the easement was and explained to him what his plan was and was repeating what he stated to him, which was access only to Natoma.

Commissioner Joseph stated her concerns were when it was full of patrons and they needed to get them out for any reason that they have proper egress at the back of the building if the egress was blocked by a parking lot full of cars it would present a clear and present danger to his patrons and they needed to resolve the egress issue.

Paul Hemming stated they were taking steps to resolve the matter and he established a direct line of communication with US parking company and they worked out a parking agreement that

allowed them to utilize the space and developed a cooperative relationship and signed a contact to validated parking and they would make sure there was enough access. He added at night they would modify the exterior and put railings and make it clear were the exit was.

Matt Eastling stated the guidelines they had for guidelines to the channels to the street were defined by the Fire Department. He added they asked what they needed to do to be within the guidelines were and would refer to the Fire Department.

Commissioner Joseph stated the reason for her concerns were it was the Entertainment Commission's job to make sure venues under their prevue were managed correctly so they did not have to come back to the Commission because code enforcement may slap them with some violation and they would have a hearing about their permit. She added they want to make sure they did it right from day one. She added in the original application the occupancy load was 1,400 and under the security planned they said they would have two to five people on the weekdays and 10 to 15 people on the weekends. She added they needed to have one person for every 100 whenever they had entertainment and they should have 14 people if the occupancy load was 1,400 at all times when they were using the whole place.

Paul Hemming stated they recognized the issues that would arise and were taking the time to create a very comprehensive plan that included security cameras and staff and proper training.

Commissioner Joseph asked were they hiring a security company or hiring their own security. She added would they have someone that would be a liaison to the security company and did they have any experience with nightclub security.

Paul Hemming stated they were in the process of getting bids. He added they would like to work with a security company and customize their security package. He added they did have a liaison that was experienced in nightclub security.

Eric Perish directory of entertainment and marketing stated he was director of entertainment marketing for four multimillion-dollar nightclubs that had capacities up to 3,500 people and a staff of 44 security. He added he knew what to look for in hiring security staff.

Commissioner Joseph stated how they would do cooperative security with the Gold Club that was steps away from their venue as well as other venues in the area.

Eric Perish stated he had met with Roe Restaurant, which was directly across the Street from the Gold Club were they having cooperative security and they had a good standing relationship with them.

Commissioner Joseph stated it was important that they do cooperative security and suggested they contact the other venues in the area. She added the applicant stated the applicant had a 47 license and they had a restaurant but would not allow anyone under the age 21.

Paul Hemming stated they had both and they were applying for a 48 they had a basement space for 21 only and restaurant space that would have 18-year-old access.

Commissioner Alan stated their description of their operation at 1,400 occupancy limitation they then on the next page were asked to provide a layout of the venue and they listed the first floor square footage of 3,500 and the basement of 1,400 giving them 4,400 square feet to put 1,400 people into and wanted them to correct the square footage or were so the Commission could understand what they were dealing with.

Paul stated the previous occupancy was based on the occupancy that was given to the previous nightclub that was occupied in that space. He added they had to do a new occupancy rating and there was actually 10,000 occupancy space on each floor but the usable space was about 15,000

square feet he added he would get it corrected.

Commissioner Alan stated did they have a layout of the floor as they proposed them to be. He added they listed 3,500 feet for first floor and how many square feet did the first floor have and how many were in the basement.

Paul Hemming stated they had 3D rendered models of the nightclub. He added the first floor had 7,000 square feet and there were 5,000 square feet in the basement.

Commissioner Alan stated when asked the question of number of employees and duties they listed on the application it was between 50 to 100 employees and that was a huge was difference and asked the applicant to explain.

Paul Hemming started they planned at phased out operation and phase one the basement phase 2 the second floor and phase three the restaurant. He added they essentially they planned on hiring 50 people in the outset and by the time they completed the second floor they anticipated adding more as they progress.

Commissioner Alan stated had they had the opportunity to look at the conditions from Southern station. He added their liquor license would determine the age of attendees and would they have two different liquor license or one liquor license for both floors.

Paul Hemming stated they had looked at the conditions and discussed them. He added it was explained to him do to the magnitude of the venue it was advisable they applied for an additional license which was the 48 that allowed them to operate on a club basis and have separate books for auditing purposes which would allow them to generate more profit from alcohol sales. He added it came under the advice of the ABC.

Commissioner Alan stated if he was a patron of 19 years of age and was coming into their venue would he be only allowed on the ground floor?

Paul Hemming stated essentially they planned to operate as two separate business units as the restaurant and the nightclub. He added the restaurant would be open for lunch and dinner and people would enter on Howard Street the ground level and would allow people under 21 to be in the restaurant. He added people would enter the nightclub from Natoma Street and go directly into the basement had to be 21 and over. He added they wanted the option to accommodate 18 and over events that would occur on the ground floor.

Commissioner Joseph asked would they advertise on the radio. She added did they intend to use promoters?

Paul Hemming stated they had not planned to advertise on the radio. He added they attended to use them on a selective basis.

Commissioner Joseph stated would have manual and electronic gate controls and if they would be installed.

Paul Hemming stated they considered the concept of electronic gated for getting into the

Lt. Greg McEachern with Southern Station stated he was speaking on behalf of Captain O'Leary. He added Captain O'Leary stated he would abide by the recommendations of the Entertainment Commission.

John Wood stated he was glad to see the old DV8 building being used and coming back to life after all these years. He added the city was desperately in need of some larger new exciting venues and wished the applicants the best of luck.

Commissioner Alan offered a friendly amendment to strike 3C of the recommendations because it was redundant.

Public Comment
No public comment

Commissioner Joseph moved to approve striking police recommendation Stipulation 5 and 3C of the police recommendation Commissioner Meko second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Shlain, Commissioner Leong and Commissioner Joseph
NOES - None
ABSENT – Commissioner Pred and Commissioner Lorin

Martinez, Joel, et. al., "The Comedy Station," 244 Taylor Street, Place of Entertainment.

Jocelyn Kane stated the application was made in mid February and the intention was to open a small comedy venue primarily for the entertainment for families including magic shows film screening puppet shows. She added it was her belief the applicants applied for a beer and wine license Planning indicated it was a permitted use without restriction of hours of operations. She added permit Officer Torres staff recommendation for approval with conditions and staff recommends approval.

Joel Martinez stated he was aware of the problems the community had and tried to help clean up the neighborhood by working with the Police Department. He added he wanted to have a place of entertainment for the youth in the neighborhood because there were not enough youth entertainment venues. He added they would have magicians and field trips. He added he would only have a beer and wine license only. He added he would like any help the Commissioner had to offer.

Commissioner Joseph asked if they were serving food.

Joel Martinez stated they would be selling sandwiches and microwave food.

Commissioner Meko asked what was in the location.

Joel Martinez stated it use to be a restaurant.

Officer Mike Torres represent Cathy Braun of stated they thought it was an interesting concept and recommend approval with the conditions.

Commissioner Meko stated he appeared they supported the Good Neighbor Policy

Officer Torress stated he would use the Entertainment Commission's Good Neighbor Policy

Public comment closed.

Commissioner Meko moved to approve with the conditions of Company J and the slight change Good Neighbor Policy
Commissioner Joseph second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Shlain, Commissioner Joseph

NOES - None
ABSENT -Commissioner Pred, CommissionerLorin
ABSENT AT TIME OF VOTE – Commissioner Leong

Chair Shlain moved item 8 up on the agenda the Executive Committee

6. REPORT FROM THE EXECUTIVE COMMITTEE

Commissioner Meko stated the outline regarding setting policies for loudspeaker permits for outside events. He added the Executive Committee spent a good deal of time reviewing the basic set of recommendations that came out of the old Executive Committee with regard to streamlining the hearing process for deliberations on suspension of revocation of permits. He added they were being passed out of the Executive Committee Meeting and be agendized at the nest meeting for consideration for adoption. He added they would be designation of the hearing officer or officers he added the old Executive Committee recommended there be two officers and the City attorney suggested one would be more practical. He added after discussions with the City Attorney they recommended three. He added the hearing officers would be appointed by a vote of the full Commission, the hearing officers would conduct a full hearing by themselves and prepare and submit the findings to the full Commission the exact nature of the findings is determined by the full commission. He added closing arguments by both parties would be presented before all eligible commissioners. He added in order to be eligible to vote on the findings of the hearing officers each sitting Commissioner would be required to read or listen to the entire transcript of the proceedings. He added time limits imposed in accordance with the following guidelines: Opening statements 10 minutes for each side, time allowed for each witness 10 minutes per charge, time fro cross-examination 10 minutes for each side, rebuttal 5 minuets cross rebuttal 5minute, closing statements 10 minutes for each side. He requested staff type the guidelines and distribute them before the next meeting and perhaps pass policies.

Public comment

John Wood stated he was glad to hear the Commission was now considering three Commissioners to sit in on a possible Suspension and Revocation hearing. He added he still had issues with it. He added when the Commission was created there was an understanding that it was impossible to keep political elements out of some of the decisions. He added evidence was always viewed from the person looking at the evidence and each Commissioner had his or her own perspective and their own political situations they had to deal with. He added the compensation of the Commission was very deliberately constructed in order to balance the politics. He added it would be difficult situation for any Commissioner to be one hearing officer and did not see why all Commissioners would not be expected to be there.

Commissioner Meko stated the recommendations were passed out of the Executive Committee with full recommendation from the Commission.

7. REPORT ROM THE EXECUTIVE DIRECTOR

Bob Davis started staff along with Commissioner Joseph, Commissioner Alan and President Shlain attended the first meeting of a task force that was formed in North Beach in order to review the concerns by both the police and businessman along North Beach and the Broadway Corridor. He added the meeting was well attended and the summary of the first meeting will be presented to the participants. He added the first meeting was to try and identify the problem and the next two meetings would be to talk about solutions and implementations to curb the violence and the bad behavior extending up into North Beach. He added he and Jocelyn Kane attended the Captains meetings on a regular basis. He added the utilization of Vajra has been more clearly defined. He added the level of cooperation has been enhanced. He added they had a seminar in North Beach that was streamlined to the venue operators, managers and security people in

response to the level of violence and concern that was present in North Beach and the Broadway Corridor. He added the meetings would continue in North Beach and move onto some of the other districts.

8. REPORT FROM THE LEGISLATIVE COMMITTEE.

Commissioner Alan stated he would be at North Beach on Friday and Saturday night at 1:00 A.M. to take a look what went on. He added at the Kelly's Mission Rock hearing the perceptions of the residents and what the perceptions the Commission had simultaneously were different and it was important that as they were engaged in the process the Commissioners should have first hand experience with the challenges confronting North Beach so they could speaker from their own Knowledge and observation as oppose to hearsay. He added the nightclub owners should not be asked to handle security problems outside the club because it was possible and not safe or the right thing. He added in the Tenderloin it took getting a task force together that included the ABC and the Police Department he added from the Police Department changed and that was the kind of thing they needed to do. He added Legislative did not officially meet because they failed to achieve a quorum. He added they called a special meeting for March 31, 2006 to move some items forward.

9. COMMISSIONER COMMENTS AND QUESTIONS.

None.

10. DISCUSSION AND DIRECTION TO STAFF TO PLACE ITEMS ON THE AGENDA FOR FUTURE ENTERTAINMENT COMMISSION MEETINGS.

Nothing to report.

11. ADJOURNMENT. 7:10 P.M.

Respectfully submitted by Crystal Stewart.

Entertainment Commission
City and County of San Francisco

Notice and Agenda for Regular Meeting
Tuesday, April 4, 2006 at 5:00 P.M.
Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102

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MEMBERS OF THE COMMISSION

Jordan Shlain, Chair - *Neighborhood Representative*
Audrey Joseph, Vice Chair - *Industry Representative*
Terrance Alan, Commissioner - *Industry Representative*
Bowman Leong, Commissioner - *Urban Planning Representative*
Bruce Lorin, Commissioner - *Law Enforcement Representative*
Jim Meko, Commissioner - *Neighborhood Representative*
Joseph Pred, Commissioner - *Public Health Representative*

CALL TO ORDER AND ROLL CALL.

1. PUBLIC COMMENT:

   Members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission. With respect to agenda items, members of the public may address the Commission for up to three minutes at the time such item is called.

2. **REVIEW AND APPROVE MINUTES** of March 7, 2006 and March 21, 2006. **[Action Item]**

3. **Presentation by Bernice Casey with the Department on the Status of Women on possible legislation for regulating live Adult Entertainment in San Francisco. [Discussion]**

4. **HEARING AND POSSIBLE ACTION** regarding applications for permits under the jurisdiction of the entertainment commission. **[Action Item]**

   a) **Ascrrunz, Cesar, dba Cesar's Latin Palace, 61 Golden Gate Avenue/1028 Market, Place of Entertainment.**

   b) **Finelli, Frank, dba The Slide, 430 Mason Street, Place of Entertainment/Ext. Hours Premises.**

c) **Tae, Hun Im, dba Teo Restaurant, 3741 Geary Blvd., Ext. Hours Premises.**

5. **REPORT FROM EXECUTIVE DIRECTOR. Update on: North Beach and activities with the SFPD and the results of Permit Appeals Board hearing.** [Discussion]

6. **REPORT FROM THE LEGISLATIVE COMMITTEE.** Terrance Alan, (Chair) Update on agenda items before the Committee. **[Discussion]**

7. **REPORT FROM THE EXECUTIVE COMMITTEE.** Jim Meko, (Chair) Update on agenda items before the Committee. **[Discussion]**

8. **COMMISSIONER COMMENTS AND QUESTIONS.**

9. Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings. **[Action Item]**

ADJOURNMENT.

Please see attached for the Entertainment Commission's interim policy on accessibility to its meetings.

DISABILITY ACCESS

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The ringing and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Pleased be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

ENTERTAINMENT COMMISSION
1 DR. CARLTON B. GOODLETT PLACE, ROOM 453 SAN FRANCISCO, CA. 94102
(415) 554-6678 ■ (415) 415 554-5793 Fax (415) 554-7934

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Sunshine Ordinance Task Force
Donna Hall, Administrator
City Hall, Room 409
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Office: (415) 554-7724
(Fax): (415) 554-7854
(E-mail): Donna_Hall@ci.sf.ca.us

WRITTEN COMMENTS

Persons attending the meeting and those unable to attend may submit written comments regarding the subject of the meeting. Such comments will be made part of the official public record and will be brought to the attention of the Commission. Written comments should be submitted to the Entertainment Commission c/o Jocelyn Kane, Entertainment Commission, Room 453 City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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Entertainment Commission
City and County of San Francisco

Notice and Agenda for Regular Meeting
Tuesday, April 4, 2006 at 5:00 P.M. **AMENDED**
Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102

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Bruce Lorin, Commissioner - *Law Enforcement Representative*
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Joseph Pred, Commissioner - *Public Health Representative*

03-30-07A07:54 RCVD

CALL TO ORDER AND ROLL CALL

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2. **REVIEW AND APPROVE MINUTES** of March 7, 2006 and March 21, 2006. **[Action Item]**

3. **Presentation by Bernice Casey with the Department on the Status of Women on possible legislation for regulating live Adult Entertainment in San Francisco. [Discussion]**

4. **Adopt policies for streamlining the hearing process for deliberations on suspension or revocation of Place of Entertainment and Extended Hours permits. [Action Item]**

5. **HEARING AND POSSIBLE ACTION** regarding applications for permits under the jurisdiction of the entertainment commission. **[Action Item]**

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9. **COMMISSIONER COMMENTS AND QUESTIONS.**

10. Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings. **[Action Item]**

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City and County of San Francisco
Entertainment Commission

April 4, 2006

ENTERTAINMENT COMMISSION
City and County of San Francisco

MINUTES OF THE

April 4, 2006
City Hall, Room 406

Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

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COMMISSIONERS

Present
Terrance Alan
Jim Meko
Jordan Shlain
Bowman Leong
Audrey Joseph
Joseph Pred
Bruce Lorin

STAFF

Present
Robert Davis, Executive Dir.
Jocelyn Kane and Crystal Stewart

CALL TO ORDER

The Commission Chair called the meeting to order at 5:10 P.M.

ROLL CALL

Bob Davis called the Roll.

Present at the meeting were Commissioners Jim Meko, Bowman Leong Terrance Alan, Jordan Shlain, Audrey Joseph Bruce Lorin and Joseph Pred.

Absent at the time of roll call were: None

Staff present was, Robert Davis, Jocelyn Kane and Crystal Stewart.

1. PUBLIC COMMENT

No public comment.

3. REVIEW AND APPROVAL OF MINUTES OF MARCH 7TH AND MARCH 21, 2006

Public Comment
No public comment.

Commissioner Alan move to approve the minutes of March 7, 2006 Commissioner Meko second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Joseph and Commissioner Pred
NOES - None
ABSTAIN – Commissioner Lorin and Commissioner Shlain
EXCUSED – Commissioner Leong

Public Comment
No public comment.

Commissioner Leong move to continue the minutes of March 21, 2006 Commissioner Joseph second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Joseph and Commissioner Leong Commissioner Shlain
NOES - None
ABSTAIN – Commissioner Pred and Commissioner Lorin

Chair Shlain stated they would move item number 5 up on the agenda.

5. Hearing and Possible Action regarding applications for permits under the jurisdiction of the entertainment commission.

a) Ascarrunz, Cesar, dba Cesar's Latin Palace, 61 Golden Gate Avenue/1028 Market, Place of Entertainment.

Bob Davis stated there were some questions that came up in the meeting with the City Attorney and the applicant requested the item be continued to the next meeting on April 18, 2006.

Cesar Ascrrunz stated he applied for the Place of Entertainment at the request of people inquiring he open another club. He added there were violations done by the previous owner, which he is in the process of correcting.

Manuel Valdez stated he has known the applicant for 40 years and use to sing at his club on Green Street. He added he has been a waiter at Original Joes for 17 years and their neighborhood was one of the worst in San Francisco. He added they needed to upgrade the Tenderloin because it was a wasteland.

Harold Dees stated he was the property supervisor for Community Partners Housing Partnership. He added he had not been contact by Cesar Ascarrunz. He added the previous owner did not respect the community. He added it was the residents original concern to begin with before they did the name change. He added all the violations had not been corrected because they had not been contacted.

Wayne Shaw stated he lived at 1000 Market. He added he was on the tenant counsel and had not been contacted by Mr. Ascarrunz. He added some of the entertainment venues were the problem in the area and there were residents that live in the area and did not get respect. He added they would like to talk to Mr. Ascarrunz to see what he's idea before they just came into the neighborhood.

Benjamin Wynn stated the venue would be double the capacity and there was smoking in the building when it was not allowed. He added a patron was drunk and fell out of the window and his fall was broke by the canopy. He added it was a major problem that needed to be taken care of. He added they had been told things would change in the past but did not have the patience to see if things would change because it affected everyone in the community.

Joseph Fierra stated he was experiencing stress from the venue and historically they had a very bad reputation. He added he was disturbed by the noise at 3:00 A.M. in the morning.

Luis Mendoza stated he was the building manager on site. He added he was not successful working with the previous owner in the past due to lack of communication. He added he wished the best for the new owner and felt he should be the primary contact for the new owner for any changes or improvement they would do to the venue and keep them included in the process.

Officer Mike Torres stated he was representing Captain Mike Brown of Tenderloin Police Station. He added they submitted a recommendation for a approval with conditions.

Public comment closed.

Commissioner Alan stated the Entertainment Commission did suspend the previous owners permit several meetings ago. He added the Commission had taken action it was that action that lead to the ownership change.

Commissioner Joseph moved to continue the item to the next meeting of April 18, 2006 Commissioner Alan second the motion.

VOTE:

AYES - Commissioner Meko, Commission Alan, Commissioner Shlain, Commissioner Leong and Commissioner Joseph

Commissioner Pred and Commissioner Lorin

NOES - None

b) Finelli, Frank, dba The Slide, 430 Mason Street, Place of Entertainment/Ext. Hours Premises.

Jocelyn Kane stated the applicant applied for a Place of entertainment and extended hour's premises below Ruby Skye on Mason Street. She added it would be operated as a lounge with a 48-liquior license and some light food. She added City Planning indicated it was a permitted use without limits on the hours of operation. She added SFPD submitted their recommendations to approve the Place of Entertainment but not to approve the extended hours premises. She added staff recommended granted the permit.

Frank Finelli introduced his partner George Karpaty. He added George would explain their business plan.

George Karpaty stated the space at 430 Mason had been vacant for seven years. He added they indented on restoring it as a speakeasy. He added it would be designed to be a very upscale ultra lounge as well as an event space. He added he hoped their reputation and their performance for the past seven years spoke for itself. He added there were no issues at their venue. He added they would be able to extend the evening to people.

Commissioner Joseph asked had they seen the police recommendations.

Mr. Caparty stated they had not seen the Police recommendations. He added he was confident in saying since San Francisco had been doing clubs Ruby Skye had the least amount of problems for a large venue with the volume they did.

Commissioner Joseph asked did he have any comments about the police recommendations.

Mr. Carparty stated they were looking at permits that had zero restrictions. He added they were looking for the ability to stay open late when they needed to stay open late and have the ability to be able to stay open 7 days a week if they would like to.

Commissioner Meko stated did the applicant have a sound engineer they were working with.

Mr. Carparty stated they were working with Charles Salter and JK Sound. He added Ruby Sky had a big sound system and it was completely quiet on the streets and they did not get complaints.

Commissioner Meko stated what did the club do about smoking.

Mr. Carparty stated the patrons smoked outside. He added they had a lot of security outside and did not get complaints. He added he did not anticipate his ability to manage smoking outside. He added they drew a respectful crowd.

Commissioner Lorin stated the City could not have it both ways. He added the City stated you couldn't smoke inside so people had to go outside.

Captain Dudley stated Mr. Carparty was an excellent salesman. He added he toured the facility with him a couple of months ago. He added he presented a great plan and had a good track record with the current facility. He added they never talked after hours or extended hours permits. He added he told him he had reservations against extended hours for the same reasons he had mentioned in the past due to staffing problems from the police department. He added at some point he would show the Entertainment Commission a map of the existing-licensed venues in the area and several potential establishment that were looking to go into the area and it would change the face of the lower section of the central district and create a whole new entertainment

area. He added he was opposed to the extended hours.

Commissioner Meko stated what under criteria could the Commission deny a permit.

Captain Dudley stated he had his opportunity to oppose it at the ABC level but they were granted and now they were asking the Commission.

Commissioner Meko stated they could not use the Police staffing problems as a reason to deny a permit and the Commission was strictly governed by the code.

Commissioner Alan stated it would be logical to assume if they in their presentation to him they discussed expanding the operations of Ruby Skye that had an after hours permit that it would want to have a similar operation.

Captain Dudley stated it did seem logical. He added they were going after an older crowd and not an after hours crowd.

Commissioner Alan stated that he found that by collecting alcoholic beverages and begin serving water and continue to serve food and coffee allowed the crowd to trickle instead of forcing 100's of people out at one time did assist everyone down the line in controlling patrons when they left.

Commissioner Joseph stated had the Police Department gotten any calls from Ruby Skye. She added she did not feel it was ok for the Commission or the City of San Francisco to limit business because staffing issues.

Captain Dudley stated they had not gotten any calls. He added at some point they had to create limits and it would be negligent for him to say bring on all comers they could police it. He added businesses were not the blame for the state of the police department staffing or the facilities. He added every time they took a drunk off the street it took an officer off the street for a minimum of an hour.

Commissioner Pred stated the conversation would be very different if Ruby Skye had a history of problems. He added Police was understaffed but given Ruby Skye's history it was not as relevant as a club that had a history of problems. He added if the venue was open after hours and they caused no impact on the officers there was no problem. He added based on that he felt they should move forward.

John Wood stated he supported the after hours of Ruby Skye. He added he spent Saturday night on Broadway with Commissioner Alan observing the situation. He added some type of pilot project could be developed for six months thought the summer to stager some of the closing times to answer the question whether after-hours could help the situation by having people trickle out.
Daisy Anarchy with Sex Workers Organized for Labor Human and Civil Rights. She added she had witness the deterioration of the situation on Broadway over the last decade and believed it would not be remedied by giving everyone the after hour permits they want. She added the situation on Broadway had been created by lawlessness inside most of the clubs on Broadway. She added the Police had been fully aware of the situation and refused to do anything about it and they were responsible for the anything goes behavior out on the street as well.

Davis Pulpill stated the times he had been at Ruby Skye it was a well-run establishment. He added they merit the after hours permit.

Public comment closed.

Commissioner Lorin moved to approve replacing the Police Departments conditions with

the Entertainment Good Neighbor Policy Commissioner Joseph second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Shlain, Commissioner Leong and Commissioner Joseph
Commissioner Pred and Commissioner Lorin
NOES - None

c) **Tae, Hun Im, dba Teo Restaurant, 3741 Geary Blvd., Ext. Hours Premises.**

Bob Davis stated the applicant applied for extended hour's premises on February 23, 2006 to remain open to serve meals until 4:00 A.M. He added it was a Korean restaurant that served full meals and 49-person occupancy. He added City Planning indicated it was a permitted use with no limits on hours of operations.
Bob Davis stated there was no rule that the applicants attend.

Commissioner Lorin recommended the item be continued to the next meeting on April 18, 2006.
Public Comment
No public comment.

Public comment closed.

Commissioner Lorin moved to continue the item to the next Commission Meeting on April 18, 2006 Commissioner Joseph second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Shlain, Commissioner Leong and Commissioner Joseph
and Commissioner Lorin
NOES - None
EXCUSED - Commissioner Pred

Commissioner Joseph asked that item 4 out of order on the agenda.

4. ADOPT POLICIES FOR STREAMLINING THE HEARING PROCESS FOR DELIBERATIONS ON SUSPENSION OR REVOCATION OF PLACE OF ENTERTAINMENT AND EXTENDED HOURS PERMITS.

Public Comment
No public comment

Commissioner Alan moved to continue Commissioner Joseph second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Shlain, Commissioner Leong and Commissioner Joseph and Commissioner Lorin
NOES - None
EXCUSED Commissioner Pred

5. PRESENTATION BY BERNICE CASEY WITH THE DEPARTMENT ON THE STATUS OF WOMEN ON POSSIBLE LEGISLATION FOR REGULATING LIVE ADULT ENTERTAINMENT IN SAN FRANCISCO.

Bernice Casey stated the legislation for regulating live adult entertainment has been a process the Ethics Commission had been working on for two years. She added they received verbal a written testimony in August 2004 regarding the working conditions of exotic dancers in the dance clubs in San Francisco. She added they have gotten feed back from current dancer, past dancers, club owners and the Labor Commission of California. She added they were not

interested in seeing clubs close down but rather working with other city agencies to ensure that the current dance clubs followed current state law about labor conditions and recognize dances as employees. She added, because of the amount of testimony they received about the assaults that have happened in the private booths that they would come down. She added she hoped to speak to the Commission in the future.

Commissioner Meko asked what agency would be in charge of granted the permits.

Ms. Bernice Casey stated she hope the Entertainment Commission would take on the permitting process.

Public comment

Daisy Anarchy with Sex Workers Organized for Labor Human and Civil Rights. She added they had been fighting against the labor violations and the illegal private booths in the dance clubs where woman had been getting coerced prostitution along with labor violations of non-payment of wages. She added there were problems with the first two drafts of the legislation. She added they were in support of the legislation and was in support of the Commission on the Status of Women work to try and get to a point in San Francisco where the labor laws were respected and enforced in San Francisco dance and adult entertainment dance clubs.

6. REPORT ROM THE EXECUTIVE DIRECTOR

Bob Davis stated they have been working on specific activities in North Beach coming up on identifying problems and some solutions. He added Commissioner Alan, Commissioner Shlain, and Captain Dudley would meet to talk about some of the remedies of possible use of the Sheriff department as a holding cell in ways to remedy the Police Department staffing. He added it would be an ongoing report and he would keep the Commission up to date.

Public Comment

David Pupill stated he appreciated the staff's work on recommendation of minor changes to the agenda.

7. REPORT FROM THE LEGISLATIVE COMMITTEE

Commissioner Alan stated the legislative Committee had an emergency on its normal meeting day and they would meet again on
Friday April 7, 2006 and would bring forward a report at the next Commission meeting.

8. REPORT FROM THE EXECUTIVE COMMITTEE.

Commissioner Meko stated he resigned from Executive Committee and they no longer had a quorum and there was nothing more to report.

9. COMMISSIONERS COMMENTS AND QUESTIONS

Nothing to report.

10. DISCUSSION AND DIRECTION TO STAFF TO PLACE ITEMS ON THE AGENDA FOR FUTURE ENTERTAINMENT COMMISSION MEETINGS.

Commissioner Pred stated there was a group of fire performers that have put together a presentation for the Entertainment Commission. He added they would like to appear on the April 18, 2006 agenda.

Bob Davis stated there was a request form the City Administer Edward Lee and Mohammad Nuru would like to make a presentation to the Commission on a problem DPW was having with the liter promoter's flyers.

Commissioner Alan requested the item be put on the agenda the concept of merging the Executive and Legislative sub committees for the summer so there would be a quorum to operate and move forward.

11. **ADJOURNMENT.** 6:21 P.M.

Respectfully submitted by Crystal Stewart.

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SF
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#1
4/18/06

CALL TO ORDER AND ROLL CALL

1. **PUBLIC COMMENT**:

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2. **REVIEW AND APPROVE MINUTES** of April 4, 2006. **[Action Item]**

3. Presentation by Edward Lee, City Administrator and former Director of the Department of Public Works, and Mohammed Nuru, Deputy Director of Operations for the Department of Public Works on litter problems with promotional flyers. **[Discussion]**

4. Adopt policies for streamlining the hearing process for deliberations on suspension or revocation of Place of Entertainment and Extended Hours permits. **[Action Item]**

5. **HEARING AND POSSIBLE ACTION** regarding applications for permits under the jurisdiction of the entertainment commission. **[Action Item]**

ENTERTAINMENT COMMISSION
1 DR. CARLTON B. GOODLETT PLACE, ROOM 453 SAN FRANCISCO, CA. 94102
(415) 554-6678 ■ (415) 415 554-5793 ■ Fax (415) 554-7934

a) **Ascarrunz, Cesar, dba Cesar's Latin Palace, 61 Golden Gate Avenue/1028 Market, Place of Entertainment.**

b) **Tae, Hun Im, dba Teo Restaurant, 3741 Geary Blvd., Ext. Hours Premises.**

c) **Singha, Dean, dba Boondock Bay 2246 Jerrold Avenue, Ext. Hours Premises.**

d) **Yanyi, Do, dba Bottoms Up 4704 Mission Street, Place of Entertainment.**

6. Discussion regarding permit holder dba 12 Galaxies, 2565 Mission Street, and Mr. Scott Dudley regarding noise levels. [Discussion]

7. **REPORT FROM EXECUTIVE DIRECTOR. Update on: North Beach meeting on April 13, 2006.** [Discussion]

8. **REPORT FROM THE LEGISLATIVE COMMITTEE**. Terrance Alan, (Chair) Update on agenda items before the Committee. **[Discussion]**

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10. **COMMISSIONER COMMENTS AND QUESTIONS.**

11. Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings. **[Action Item]**

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Entertainment Commission
City and County of San Francisco

Notice and Agenda for Regular Meeting
Tuesday, April 18, 2006 at 5:00 P.M. **AMENDED**
Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102

MEMBERS OF THE COMMISSION

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Terrance Alan, Commissioner - *Industry Representative*
Bowman Leong, Commissioner - *Urban Planning Representative*
Bruce Lorin, Commissioner - *Law Enforcement Representative*
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amended

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Entertainment Commission
City and County of San Francisco

Notice and Agenda for Regular Meeting
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Audrey Joseph, Vice Chair - *Industry Representative*
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City and County of San Francisco
Entertainment Commission

April 18, 2006

ENTERTAINMENT COMMISSION
City and County of San Francisco

MINUTES OF THE

April 18, 2006
City Hall, Room 406

Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

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COMMISSIONERS

Present
Terrance Alan
Jim Meko
Jordan Shlain
Audrey Joseph
Joseph Pred
Bruce Lorin

STAFF

Present
Robert Davis, Executive Dir.
Jocelyn Kane and Crystal Stewart

CALL TO ORDER

The Commission Chair called the meeting to order at 5:10 P.M.

ROLL CALL

Bob Davis called the Roll.

Present at the meeting were Commissioners Jim Meko, Terrance Alan, Jordan Shlain, Audrey Joseph Bruce Lorin and Joseph Pred.

Absent at the time of roll call were: Bowman Leong

Staff present was, Robert Davis, Jocelyn Kane and Crystal Stewart.

1. PUBLIC COMMENT

Michael Nulty, a resident of San Francisco stated he was before the Commission some time ago requesting the Entertainment Commission to do outreach to the various community groups in regards to the Entertainment Commission polices and were they were with that process.

Chair Shlain stated he would request the information from Executive Director Bob Davis.

2. REVIEW AND APPROVAL OF MINUTES OF APRIL 4, 2006

Public Comment
No public comment.

Commissioner Alan move to approve the minutes of April 4, 2006 Commissioner Joseph second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Joseph, Commissioner Pred Commissioner Lorin and Commissioner Shlain
ABSENT - Commissioner Leong

Public Comment
No public comment.

Commissioner Leong move to continue the minutes of March 21, 2006 Commissioner Joseph second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Alan, Commissioner Pred, Commissioner Joseph, Commissioner Shlain and Commissioner Lorin
ABSENT – Commissioner Leong

Chair Shlain stated they would move item number 5 up on the agenda.

4. Presentationby the San Francisco Fire Coalition on the current state of fire performance permitting in San Francisco and proposed improvements for the permitting process and safety standards for the betterment of the art.

John Dickinson resides in Oakland Jada Davies, resides in San Francisco David Redela resides in San Francisco and Scott Amidzich he stated he was a fire dance performance artist and resides in San Francisco. He added they represent the San Francisco Fire Coalition and wanted to gain the

support of the Commission to bring Fire arts to San Francisco. He added the Fire Coalition was an assembly of professional fire arts dancers that lived in the Bay Area. He added they came together in an effort to bring the art form they loved to more people. He added they had a common frustration with the difficulties of presenting the fire arts to the public under the current regulations in San Francisco. He added their objective was to create an alliance between the fire arts community, the SFPD, the Arts Commission, the Entertainment Commission and the City of San Francisco. He added they planned on maintaining their own and the City's vigorous safety standards while developing an affordable means by which the fire arts could be presented legally in San Francisco and provide more opportunities for the Fire Arts to be showcased. He added they have been offered an abundance of performance opportunities that have fell short due to the mounting cost of permits. He added they would propose an annual fire permit for fire artist. He added it would boaster San Francisco's reputation as a city that supported innovated forms of performance art.

Commissioner Joseph stated she supported their proposal.

Commissioner Alan stated he requested a meeting with the Fire Chief and Steven Raspa from Burning Man to discuss the potential of bringing the Black Rock Fire Arts Festival to San Francisco. He added did they have an open dialog with Steven Raspa from Burning Man community so that their efforts could be merged.

Jada Davies stated they have had some communications with them.

Commissioner Pred stated when he was approached by the group regarding their efforts he suggested they come to the Commission for their first step for feedback and initial support and he made it clear the Commission did not have the power to do anything in the prevue of the fire department and to show support by possibly passing a resolution.

3. **Presentation by Edward Lee, city administrator and former director of the department of public works, and Mohammed Nuru,deputy director of operations for the department of public works on litter problems with promotional flyers.**

Bob Davis stated Ed Lee was slightly delayed for the meeting and requested to be pushed back on the agenda.

Ed Lee stated he was the City Administrator for the City and County of San Francisco. He added he wanted the Commissions support for a very difficult job the Department of Public Works had in dealing with promotional flyers. He added everyday the Department of Public works took extra effort to pick thousand of handbills. He added there were three sets of different hands in which the flyers made their way through the promoter who printed them up and the distributor who distributes them on vehicles and doorways three or four at a time to the owner of the vehicle displacing them onto the street. He added they were difficult to pick up because how they were made and made it a great deal of a problem for the street sweeper because they could not pick them up at all. He added the flyers were heavy in the South of Market and Mission areas. He added he had not been able to quantify the cost but would get the statistics to the Commission on how much it cost in addition to all the other trash they pick up. He added they wanted the help of the Commission to close the line of accountability and responsibility of the flyers. He suggested the club owners should take accountability of the flyers and do not allow the false the impression the promoters work solely for themselves. He added it would save them time and resources and keep the streets clean.

Chair Shlain stated did he want the venues owners to pay for the cost of having them picked up?

Ed Lee stated they preferred it not be a way they communicate with their potential cliental. He added a system should be created for accountability, which would require them to pay fees

necessary to clean up the street.

Commissioner Joseph stated there were fewer flyers because people were marketing their event through emails. She added she hired a company to clean up the entire street outside the venue when she had her club. She added the club owner was responsible.

Ed Lee stated there was no automatically liability placed on the club owner because their address is placed on the flyers.

Bob Davis stated the item was brought forth to make the Commission aware of the problem and would like to come back to the Commission with recommendations how they could legally pass to cost on. He added it was a problem in the surrounding neighborhoods.

Commissioner Alan asked if the DPW had an administrative process to site someone if they were littering or disposal of trash on the sidewalk.
Ed Lee stated there was a process under the Public Works code. He added the aggressively enforce the illegal posting ordinance. He added they use hearing officer for the process.

Commissioner Alan stated the true offender was a non-identifiable individual took the flyer that may be labeled with a club and discards it and is the subject to a littering fine but they are never seen. He added it was then left to industry to solve the problem. He added they have found for the most part the entertainment venue owners were responsible. He added if they began an education process to begin to bring awareness to contractional obligation. He added the Commission would assist with the problem.

Ed Lee stated there were certain poles for posting and ones you could not. He added education had always been the lead and they needed to do it but it became false effort if it was not backed up with some level of enforcement or accountability. He added they were looking at they needed to work together effetely and follow through with entities that did not want to cooperate. He added once they established the clear law and rule and behavior on the posters they were going to introduce community poster boards for certain areas that is maintained.

Commissioner Lorin stated the onus should be on the club owner.

5. **Adopt policies for streamlining the hearing process fordeliberations on suspension or revocation of Place of Entertainment and Extended Hours permits.**

Bob Davis stated there was one item left of the streamlining hearing process, which was the Commission, must have a super majority of four Commissioners. He added the Commissioners needed to listen to the tape or read the transcript.

Commissioner Alan stated in the creation of the Entertainment Commission a great deal of care time and effort was spent in making sure that all of the stakeholders that had to do with entertainment were represented on the Commission and the past three years had shown it to be a successful mix. He added when they began to tinker with the mix at one of the most important and punitive steps they could take and reduce the number from seven to three they would tinker with the fundamental precept on which the Commission was founded. He cautioned the Commission in doing so and was not in support of streamlining the hearing process and reducing the number of Commissioners.

Commissioner Joseph stated which one of the hearing officers would rule on objections. She added the ten-minute time period for each witness per charge was too long and a huge time burden.

Commissioner Pred stated there would the president of the Commission who would oversee the proceedings designate a single chair.

Commissioner Lorin stated each Commissioner came from a different background and there could not just be one Commissioner at the hearings and there should be several Commissioners. He added if the Board of Supervisors intended for the Commission to be legal body to hear court proceedings they would have insisted they all were attorneys but they were not they were laymen and it was administrative hearing. He added the Commissions job was to hear the facts. He added the amount of time for a witness to speak and cross-examination should be limited and controlled.

Chair Shlain stated it would be put back in Committee for fine-tuning.

Public Comment

John Wood with SFLNC thought it was a good idea to be sent back to Committee because he felt it was no were near ready for an important issue to be sent to the Commissions. He added as one of the people who created the Commission with the balance with Commissioner Alan he thought it was impossible to get certain bias out. He added it would protect the Commissioners by having the full composition. He added he supported other ways of streamlining to make the hearings quicker and less painful but would question not requiring all the Commissioners to be present at the hearings.

Commissioner Alan moved to approve to move the hearing streamlining process back to Committee
Commissioner Lorin second the motion.

VOTE:
AYES - Commission Alan, Commissioner Joseph,Commissioner Lorin Commissioner Shlain andCommissioner Pred
NOES - Commissioner Meko
ABSENT – Commissioner Leong

6. Hearing and possible action regarding applications for permits under the jurisdiction of the Entertainment Commission.

a) Ascarrunz, Cesar, dba Cesar's Latin Palace, 61 Golden Gate Avenue/1028 Market, Place of Entertainment.

Bob Davis stated at the request of both Mr. Ascarrunz and the City Attorney they would like to continue the item to the next hearing date.

Public Comment

Mark Rennie stated he did not represent Mr. Ascarrunz. He added he wanted to bring something to the Commission's attention that he thought was critical to what the Commission was trying to do with entertainment. He added he represented the former operator of the establishment, Howard Hsu and Club Q. He added he looked for a buyer and found a Mr. Ascarrunz. He added he went to the ABC and it was posted as a bulk transfer under state law and paid the Commission and paid 3,000 for a extended hours premises permit. He added Club Q had been closed for 60 days and was a subject of a lawsuit with the City and County of San Francisco vs. Q. Entertainment at al. as a nuisance. He added Mr. Ascarrunz was an independent third party who had a bulk sale transfer going. He added the City attorney used some strong-armed tactics to interfere with his sale and to obtain a tactical advantage in a lawsuit, which he thought was highly unethical and illegal. He added Nelly Palmer added Mr. Ascarrunz as a doe defendant to the lawsuit and was served was served with the city lawsuit for maintaining a nuisance. He added it was a closed club and a businessman who had a history in San Francisco of running a very successful Latin Palace Nightclub for many years and was now being brought into the lawsuit basically in order to shut down the venue permanently. He added it he spoke to Mr.

Ascarrunz and he stated he had to continue his item otherwise the Commission would turn him down for his permits. He added he had a first amendment right to have a hearing and to have it determine.

Bob Davis stated Mr. Ascarrunz came into the office prior to meeting and he was not told he would be denied permits. He added he asked Mr. Ascarrunz if he spoke to Nelly Palmer and the applicant stated he did and wished to continue the item.

Commissioner Lorin stated part of the contract and agreement in the sale was the new owner would accept existing liabilities and that was why Mr. Ascarrunz chose to continue the item so that he could straighten those things out.

John Nulty stated as a concerned neighbor in the Tenderloin they needed businesses and felt it was coming to a very complicated state. He added it was part of Maxwell's legislation that had set the precedent of what was happening to Mr. Ascarrunz. He added he the Tenderloin needed to be uplifted tremendously.
Michael Nulty stated they needed to have businesses in San Francisco that added to the resources of their neighborhood. He added businesses along Market Street were needed because of blighted areas were foot traffic was not present. He added there were a lot of changes around the mid Market area and hopefully the changes would encourage better businesses and better enforcement of rules and regulations that would bring a more positive entertainment in that part of the neighborhood.

John Wood stated the issues spoke to the importance of the Commission developing its proposal for fines. He added once the City Attorney got involved it would become very complicated. He added he did not fault the purpose of the City Attorney was to get Howard Hsu out of there which had been accomplished. He stated the Commission should investigate on what the purpose of suing Mr. Ascarrunz who had a history and also would serve a constituency that deserved and needed a home. He added it was a beautiful venue and if Mr. Ascarrunz was willing to do the work to increase the occupancy so that it was appropriate to the size of the venue. He added it would be a lost to lose the venue and hoped the Commission could work behind the scenes to get the lawsuit dropped and let the applicant put the money into the venue and soundproofing and not tie him up with Howard Hsu's problems.

Commissioner Alan moved to continue the item to the next meeting Commission Pred second the motion.

VOTE:
AYES - Commission Alan, Commissioner Joseph, Commissioner Shlain, Commissioner Pred and Commissioner Lorin.
NOES - None
ABSENT – Commissioner Leong and (Commissioner Meko at time of vote)

b) Tae, Hun Imp, dba Teo Restaurant, 3741 Geary Blvd., Ext. Hours Premises.

Jocelyn Kane stated the application was before the Commission two weeks ago asking for extended hours serve days a week to serve meals. She added it was a 49-person restaurant with a beer and license. She added Planning and SFPD have recommended approval. She added the applicant was not present at the last hearing previously and the Commission requested the item be continue so that applicant could be present. She added the request was made for seven days a week to 4:00 A.M. to serve food between 2:00 A.M. and 4:00 A.M. She added the recommendation from Company G recommended the extended hours of 2:00 A.M. and 4:00 A.M. on weekends only and 2:00 A.M. Monday through Thursday for food service only and no entertainment. He added she made the applicants aware of the conditions.

Chair Shlain asked were the prior owners opened until 4:00 A.M.

The applicant stated the previous establishment was open until 4:00 A.M.

Public Comment
No public comment.

Commissioner Alan moved to approve the restriction of hours allowing the applicant to operate until 4:00 A.M. seven days a week and supply the Commission with a security plan Commission Lorin second the motion.

VOTE:
AYES - Commission Alan, Commissioner Joseph,Commissioner Shlain, Commissioner Pred, Commissioner Lorin and Commissioner Meko
NOES - None.
ABSENT – Commissioner Leong

c) Jones, Bob, dba Impala, 501 Broadway Street, Place of Entertainment.

Bob Davis stated as a result of the item not appearing on the original agenda Friday the item will be continued to the next meeting at the request of the City Attorney.

Mark Rennie appearing on behalf of the applicant and did not have a problem with the item being continued.

Commissioner Joseph stated Mr. Rennie's client was operating without a permit.

Mr. Rennie stated he did not have knowledge if there was an entertainer paid to spin records or provide entertainment.

Commissioner Alan stated having spent the last four weeks in North Beach he would like to propose the out door smoking area permitted for food and alcohol that the applicant voluntarily give up their ability to consume alcohol by their patrons in the outdoor area after 11:00 P.M. because it was a problem. He added there were patrons with a four foot railing separating the outdoors with drinks that could be abused and have a liability. He added it was brought to his attention by the police and did not serve anyone's good interest to have people outdoors smoking when they could pass drinks across a four-foot railing to minors.

Public Comment
No Public comment.

Commissioner Meko moved to continue the item to the next meeting Commissioner Joseph second the motion.

VOTE:
AYES - Commission Alan, Commissioner Joseph,Commissioner Shlain, Commissioner Pred, Commissioner Lorin and Commissioner Meko
NOES - None
ABSENT - Commissioner Leong

d) Singha, Dean, dba Boondock Bay 2246 Jerrold Avenue, Ext. Hours Premises.
Bob Davis stated at the request of both the applicant and Bayview station they request a continuance while they work out some additional details that both parties have agreed to.

Public Comment

Tom Stanghellini stated he was the operations manager for Luxor Cab Company, which is the neighbor of the Boondocks. He added there were drag races at night and big rigs from the produce market and trucks that double-parked from the beer company. He added they had 200 cabs gong and coming twice a day. He added parking was a bear and the street was a mess. He added there were drivers fearing for their safety and there were fights and cabs were trashed in

the area. He added it was not a desolate part of town with the potential of awful lot of danger if there was an after-hours club and was not a good location for an after-hours club.

Commissioner Lorin stated Luxor could not house all their cab and there were fights for parking spaces all over the neighborhood and could see what they did not want the after hours club in the area because it would effect the parking. He added he understood the problem but it did not justify a denial of the permit.

Bob Davis stated part of the reason of the continuance was because officer George was aware of all the problems and were trying to work them out. He added the venue owner graciously stepped back in order to make sure there was adequate dialog and safeguards prior to coming before the Commission.

Laura Larsen stated she owned property at Jerrold Avenue where she rented moving equipment. She added she had a lot of opportunities to observe the situation and there were about 20 cabs on the street. She added the venue did not always close at 2:00 A.M. She added they closed at 4:00 A.M. on Easter Sunday with the permit application posted in the window. She added the crowds did not disperse after the venue closed and felt entitled to after performances in the street and the street are completely blocked.

Commissioner Joseph asked had she ever contacted the club after seeing the activity outside after they closed.

Ms. Larsen stated she did bring it to their attention some paperwork form the Planning Department when they converted the building from a warehouse to a place of public assembly that the hours of operation would be limited to 6:00 P.M. to 2:00 A.M. She added she had not complained about it.

Commissioner Alan moved to continue the item to the next meeting Commissioner Pred second the motion.

VOTE:
AYES - Commission Alan, Commissioner Joseph,Commissioner Shlain, Commissioner Pred, Commissioner Lorin. and Commissioner Meko
NOES - None
ABSENT - Commissioner Leong

e) Yanyi, Do, dba Bottoms Up 4704 Mission Street, Place of Entertainment.

Jocelyn Kane stated it was an application for a Place of Entertainment at 4704 Mission Street. She added the location seemed to over a bit. She added the applicants have applied for the Place of Entertainment to serve food and alcohol everyday. She added Planning indicated it was a permitted use. She added Company H recommends approval with conditions that are met by the Entertainment Commission's Good Neighbor Policy.

Yanyi Do stated the were present to apply for their Place of Entertainment and would have Middle Eastern belly dancing and a DJ as a form of entertainment.

Public Comment
No public Comment

Commissioner Joseph moved to approve including the Good Neighbor Policy until 2:00 A.M. Commissioner Alan second the motion.

VOTE:
AYES - Commission Alan, Commissioner Joseph,Commissioner Shlain, Commissioner Pred, Commissioner Lorin and Commissioner Meko
NOES - None
ABSENT - Commissioner Leong

Commissioner Shlain stated he would turn the meeting over to Commissioner Joseph because he had to be excused.

7. DISCUSSION REGARDING PERMIT HOLDER DBA 12 GALAXIES, 2565 MISSION STREET, AND MR. SCOTT DUDLEY REGARDING NOISE LEVELS.

Bob Davis stated Vajra Granelli had an update on the sound issue at 12 Galaxies.

Vajra Granelli stated he had been to Mr. Dudley's residence once and to 12 Galaxies three times. He added he was able to get a good picture where the sound problem was from. He added the sound issue was unique because of the constructions of the buildings around 12 Galaxies, which created a sound tunnel that bounced the sound directly at Mr. Dudley. He added the owners of 12 Galaxies had done work and put in two thick sound walls behind their stage and upstairs. He added on one of his visit to 12 Galaxies they determined the biggest sound problems came from the skylights located on top of 12 Galaxies that were leaking sound. He added since that discovering and working with the owners of 12 Galaxies they have since soundproofed one skylight as of last week and would sound proof a second sky light as of today and further plans to soundproof the other skylights in the following weeks. He added they were working towards resolving the sound issues.

Monica Blaylock stated she resided 662 Kapp Street. She added it was not just Mr. Dudley's problem it was all the units that faced the bar. She added only after they came before the Commission a few weeks ago the bar started to communicate with them. She added she called a few times and got no answer and no email was sent reporting any improvements. She added they finally heard from the club regarding their improvements and they asked for feedback. She added unfortunately it did not make a difference so far. She added she called and complained about the sound and there was no difference until the band ended. She added unfortunately 12 Galaxies was not willing to turn the volume down while fixing the problem that was suggested by the Commission and the residents many times. She asked for the help once again the help of the Commission to have the bar follow the rules and respect their neighbors.
Richard Blaylock stated he lived at 662 Kapp Street. He added he heard reports from the previous meetings the Commission, he added he was a musician himself and it was not conceivable in his mind that 12 Galaxies could not lower the volume of the acts and requested the help of the Commission in them doing so to make things livable for them at their residents.

Commissioner Pred stated he was curious when 12 Galaxies did receive complaints and were attempting to be compliant with the spirit of the Good Neighbor Policy what were they actually doing in terms of adjusting the volume to attempt to remedy it until the soundproofing was affective.

Mr. Blaylock stated they did live music and when asked hopefully they lowered the music.

John Macciocca stated he live on 662 Kapp Street and his bedroom faced the club. He added he could understand and probably forgive a club playing music on a Saturday night but when it was a Wednesday night and he had to go to work the next day it was not acceptable.

Commissioner Meko stated he understood the complications and commended Vajra for his work. He added it came down to something basic to the Commission, which is the Good Neighbor Policy. He added the permit holder should supply a cell phone number to all interested neighbors that would be answered at all times by a manager or someone or other responsible person who had the authority to adjust volume and respond to other complaints whenever entertainment is provided. He added if the neighbors were calling and complaining and nothing was done they were in violation of the Good Neighbor Policy.

Commissioner Alan stated the Commission was figuring out how to deal with the problem when they had a venue that was problematic as with 12 Galaxies.

Commissioner Lorin stated there was processes in place were staff could put together an investigation and serve papers and there could be a suspension hearing. He added if during that period the venue corrects the problem then the process could terminate the process and if not the Commission could suspend the venue owner.

Commissioner Meko stated there was a club on 6th Street was the neighbors were complaining for a year and a half and nothing had been done and they still could not sleep at night. He added there was a club on 11th Street that complained about the noise when the Commission first met and the neighbors still could not sleep. He added there was a club on Harrison Street and the people who lived in the alleys were complaining about live rock and roll bands on Thursdays and they had no Place of Entertainment permit and nothing had been done about that and the neighbors could still not sleep at night. He added the neighbors of 12 Galaxies could also not sleep at night. He added what was the Commission going to do?

Commissioner Joseph stated the Commission needed to get the Police to site for violations of the sound ordinance.

Commissioner Pred stated he commended the patience of the group of residents who have come to the Commission and represented their concerns. He added the Commission was getting to the point were a suspension hearing was the next logical step.

Commissioner Joseph stated that staff should compose a letter to be mailed or handed to them that it was their final warning with 10 days of the letter to comply or else they would be brought up for suspension hearing.

Bob Davis stated there should be a standard upon which staff used to act that should also come from the direction of the Commission because the Commission set policy. He added if the policy is not in place and clubs were brought forward the Commission would lose. He added through Commissioner Meko and Commissioner Pred they were establishing a policy that would give some foundation to bring people forward. He added staff would send additional material and warnings to 12 Galaxies as they had done with Club 6 with turning them over to the City Attorney.

Commissioner Joseph stated in the meantime when the Commission was setting policy the residents could not sleep. She added they have asked the residents to be patient while the club made repairs. She added the residents and the Commission had been patient and the fact the applicants did not show up for the meetings to defend themselves was telling. She added if they needed policy it should be done at the next meeting. She added a warning letter should be sent.

Commissioner Lorin stated prior of the forming of the Commission bringing action against a venue owner was easier because the station that was involved produced the complaint. He added the police officers would put together a case against the club. He added in that case was documentation and violations and the police department would take action. He added staff should come up with some form of protocol themselves and the Commission should rule on what was presented to them.

Commissioner Pred stated until the Commission had a policy in place the Commission could not idly sit by while a permittee flagrantly violates the Good Neighbor Policy and action was required.

Commissioner Meko stated there was a tendency under City Hall bureaucracy to keep all the balls up in the air at all times and to never let one land because then you would have to take responsibility for something. He added there was talk with the City attorney and talk with the

Police and looking into this and looking into that and the neighbors still could not sleep at night. He added it was incumbent on our staff to enforce the Commissions Good Neighbor Policy.

Commissioner Alan stated as the Commission moved forward in the line of discussion that the commission would have to have proof and were he defaulted to not only the Commission's limited staff documentation of what was going on. He added looking at alternative ways to build it, not to delay things but when there was a challenge to the Commission decision it could be upheld and the Commission would not be looked at as a kangaroo court.

Commissioner Lorin stated giving out a warning was good as long as it was backed up.

Commissioner Pred stated when staff received phone calls were they documented.

Bob Davis started not initially but now that Vajra was on board the phone calls were documented.

8. REPORT FROM THE EXECUTIVE DIRECTOR

Bob Davis stated the report consisted on the update administration on trying to get people to be good neighbors in North Beach. He added a task force was formed at the request of the president of the Entertainment Commission. He added there were two meetings held and Chair Shlain, Commissioner Joseph and Commissioner Alan have visited on the weekends with Vajra to observe the goings on in North Beach. He added some of the suggestions that have been made include sobriety checkpoints, changing their tactical approach. He added there was going to be a policy put in place for party buses to come in how, they come in and how they unload and what kind of license they had and what contact was made between the party buses and the individual clubs. He added they were looking with the sheriff for ways to speed up the process of holding people who were intoxicated for the four hour hold without taking officers off the street for a long period of time. He added the lower Broadway venues were prepared to hire 10B officers. He added there was also be a small task force that will consist of Vajra and the ABC and an officer from Central station and the Fire Department. He added they would operate over several weekends to insure that capacity was being met and the sound ordinance was being met and the streets were in the lines of being maintained properly. He added they would also be looking at the off service liquor stores that were serving teenagers that posed a very significant problem for all of the venues. He added the next meeting for the task force was next week.

Daisy Anarchy with *Sex Workers Organized for Labor Human and Civil Rights*. She added they had been organizing against labor and criminal violations in the dance clubs for the past 10 years and many of the clubs were in Broadway. She added the criminal violations were specific with coerced prostitution.

Hima B stated she was concerned about the enforcement mechanisms that would be used by the Entertainment Commission in regulating the strip clubs.

Commissioner Joseph stated the Entertainment Commission was not the permitting party for the strip clubs.

9. Report from the Legislative Committee.

Commissioner Alan stated the legislative committee would carry forward a open item at every legislative committee meeting that would allow talk about updates to the entertainment ordinance. He added they discussed in addition the permit fee matrix and some of the inequities they found that a fine structure would enable the Entertainment Commission to exercise financial fines to offenders to have a immediately ability to put on notice a fine. He added there was a

SOMA task force, which was the study of SOMA area with an eye towards making recommendations to the Planning Department of rezoning of SOMA. He added Commissioner Meko was serving on the seat for entertainment. He added he would be making presentations to various subcommittees of the task force to how entertainment needed to be woven into the fabric of south of market. He added he would continue to participate in the North Beach task force and would have a written report in two more weekends summarizing what he saw in the area. He added he did not think the North Beach problem was unsolvable and could be done managerial.

11. Commissioner Comments and Questions.

Commissioner Alan stated the city of San Francisco played host to a Toyota Motor car Scion event at Fort Mason this weekend and it was very successful. He added there were no negative incidents related to the event. He added when he heard consistently they did not have the police, he wanted the Commission to find creative ways to fill in the gap and thought that staff and Commissioners were doing that to fill in the gaps.

Commissioner Meko stated the third year was a very good year for the Commission as a whole had pulled together and demonstrated a degree of professionalism and competence that was very impressive. He added in terms of the Committee structure it was an unfortunate year. He added it went really well the firs year or two. He added the Executive Committee that is no longer in existence was never able to come up with three members. He added what eventually developed in his opinion was very one sided and dysfunctional. He added it was a little difficult representing the whole broad stakeholders on the Commission. He added they did have the Legislative Committee and all the good that Commissioner Alan was producing it was subject to some of the same problems with the former Executive Committee. He added what he heard from the public on the issue of the Rolling Stones was that it was not heard before the whole Commission and before a Committee of two commissioners. He added out of the hearing he made a approach on how the Commission could make long range recommendations and hoped they could bring the discussion back and have the quality conversation because it was a really important issue and hoped the Commission would pick up on it and give it justice. He added he spoke to Supervisor Daly in crafting some legislation along those lines. He added he would like to see the Commission have a long-term dialog and come up with some solutions.

Commissioner Lorin stated he liked the ability to have input on those issues. He added for him to go to special meetings was a personal burden. He added a lot more could be accomplished with seven brains than you could one, two or three. He added any applicant that converse in English should have an interpreter.

Commissioner Joseph stated today was the 100th anniversary of the 1906 earthquake she added all of the theatres burned and Enrico Caruso spent the night in a tent in Golden Gate Park. She added all the bars along embarcadero were swamped and before the week was out a theatre tent was erected and Caruso performed and the bars were re erected in tents. She added one of the ways sustenance and vigor they had a place to let off steam and a place of entertainment to take their minds off everything they lost. She added entertainment although considered a horrible nuisance to a lot of the residence people in San Francisco was an important vital part to people going and take their minds off of stuff. She added entertainment was an important and vital part of our society. She added as an operator there were standards she lived by to keep their businesses safe and licenses protected and active. She added rather than legislate themselves to death a group of standards should be set by those in the industry and enforced on people in the industry. She added she walked on North Beach with Vajra Granelli on Saturday night and there were police out on the street taking care of business. She added the party buses should pull in front of the clubs and unload the bus, leave and return at an appointed time and load them back onto the bus and keep them off the street. She added people needed to get use to a standard of care. She added as they continue to meet with the clubs in North beach they would impress upon them that standard of care and could do it everywhere there was a

problem.

12. **Discussion and direction to staff to place items on the agenda for future entertainment commission meetings.**

Adjournment. 8:08. P.M.

Respectfully submitted by Crystal Stewart.

Entertainment Commission
City and County of San Francisco

Notice and Agenda for Regular Meeting
Tuesday, May 2, 2006 at 5:00 P.M.
Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102

MEMBERS OF THE COMMISSION

Jordan Shlain, Chair - *Neighborhood Representative*
Audrey Joseph, Vice Chair - *Industry Representative*
Terrance Alan, Commissioner - *Industry Representative*
Bowman Leong, Commissioner - *Urban Planning Representative*
Bruce Lorin, Commissioner - *Law Enforcement Representative*
Jim Meko, Commissioner - *Neighborhood Representative*
Joseph Pred, Commissioner - *Public Health Representative*

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CALL TO ORDER AND ROLL CALL

1. **PUBLIC COMMENT:**

   Members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission. With respect to agenda items, members of the public may address the Commission for up to three minutes at the time such item is called.

2. **REVIEW AND APPROVE MINUTES** of April 18, 2006. **[Action Item]**

3. **HEARING AND POSSIBLE ACTION** regarding applications for permits under the jurisdiction of the entertainment commission. **[Action Item]**

   a) **Ascarrunz, Cesar, dba Cesar's Latin Palace, 61 Golden Gate/1028 Market, Place of Entertainment.**

   b) **Jones, Bob, dba Impala, 501 Broadway, Place of Entertainment.**

   c) **Acworth, Peter, dba Palace Arts Foundation, 942 Mission Street, Place of Entertainment/Extended Hours Premises.**

   d) **Teevan, Kim, dba Maitri/Bambuddha Lounge, 601 Eddy Street, Loudspeaker, Sunday May 7, 2006, 5PM - 9PM.**

4. **REPORT FROM THE EXECUTIVE DIRECTOR,** Bob Davis Update on North Beach Task Force meeting, Supervisor Mirkarimi proposed legislation on Alcohol Moratorium for lower Haight, Jocelyn Kane's report on outdoor events meeting and Vajra Granelli's inspection report on 12 Galaxies, Club Six, Eagle and Caliente. **[Discussion]**

5. **REPORT FROM THE LEGISLATIVE COMMITTEE.** Terrance Alan, (Chair) Update on agenda items before the Committee. **[Discussion]**

6. **COMMISSIONER COMMENTS AND QUESTIONS.**

7. Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings. **[Action Item]**

ADJOURNMENT.

Please see attached for the Entertainment Commission's interim policy on accessibility to its meetings.

DISABILITY ACCESS

Room **406** is wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #42 Downtown Loop, the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI services, call 923-6142. Large print agendas are available. Sign language interpreters are available upon request by contacting the Entertainment Commission Office at least two working days prior to a meeting. Individuals with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities should also call the Entertainment Commission Office. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. A TDD phone for the Entertainment Commission is available on request.

The ringing and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Pleased be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

ENTERTAINMENT COMMISSION
1 DR. CARLTON B. GOODLETT PLACE, ROOM 453 SAN FRANCISCO, CA. 94102
(415) 554-6678 ■ (415) 415 554-5793 ■ Fax (415) 554-7934

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at **www.ci.sf.ca.us/bdsupvrs/sunshine**. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact:

Sunshine Ordinance Task Force
Donna Hall, Administrator
City Hall, Room 409
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Office: (415) 554-7724
(Fax): (415) 554-7854
(E-mail): Donna_Hall@ci.sf.ca.us

WRITTEN COMMENTS

Persons attending the meeting and those unable to attend may submit written comments regarding the subject of the meeting. Such comments will be made part of the official public record and will be brought to the attention of the Commission. Written comments should be submitted to the Entertainment Commission c/o Jocelyn Kane, Entertainment Commission, Room 453 City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

"Explanatory Documents: Copies of explanatory documents listed in this agenda, and other related materials received by the Entertainment Commission after the posting of this agenda, can be obtained during normal office hours at the Entertainment Commission office on the 4th floor of City Hall, 1 Dr. Carlton B. Goodlett Place, Room #453, San Francisco, CA 94102, and also, to the extent possible, will be available on the Commission's website at http://www.sfgov.org/entertainment."

City and County of San Francisco
Entertainment Commission

May 2, 2006

ENTERTAINMENT COMMISSION

City and County of San Francisco

MINUTES OF THE

May 2, 2006
City Hall, Room 406

Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

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COMMISSIONERS

Present
Terrance Alan
Jim Meko
Jordan Shlain
Audrey Joseph
Joseph Pred
Bowman Leong
Bruce Lorin

STAFF

Present
Robert Davis, Executive Dir.
Jocelyn Kane and Crystal Stewart

CALL TO ORDER

The Commission Chair called the meeting to order at 5:10 P.M.

ROLL CALL

Bob Davis called the Roll.

Present at the meeting were Commissioners Jim Meko, Terrance Alan, Jordan Shlain, Audrey Joseph, Bruce Lorin, Bowman Leong and Joseph Pred.

Absent at the time of roll call were:

Staff present was, Robert Davis, Jocelyn Kane and Crystal Stewart.

1. PUBLIC COMMENT

tt Dudley stated there was a measurable change in sound coming from 12 axies, however the problem were not yet solved because sound was still audible de his residence with his windows closed. He added since the Commission had :n 12 Galaxies a 10-day notice to he hoped they would enforce it. He added he ke with the venue four times over the last two weeks and asked them to turn /n the volume and at no time did the club make any volume changes that he ld hear or measure and it was the exact same thing he had experienced over the 16 months. He added the club has not turned down the volume in a year and a ' and they should until they finished their soundproofing and hoped the nmission could do whatever they could to solve the problem.

:k Rennie stated the San Francisco International Arts Festival would take place in 6 and any support the Commission could give would be great. He added Tony oche was present to speak about some issues he had.

ıy Caroche stated in 2000 he bought Bose Bounty in Hunters Point and put a ue out there called The Pound S.F. He added he had done a month-to-month e and had an idea to build an amplified theatre. He presented his idea to the Port they were supportive of it and told him if he invested money in the Hunters ıt area they would give him a long-term lease. He added since then he put a half illion dollars into and got it to the point were they could actually do shows out e. He added in the meantime a lot things had happen at the Port, turn over and / Port director. He added there were two years were nothing was being done at Port and it was frustrating for him and he never did get his long term lease and at moment there was talk about him being evicted out from there.
added the City needs a venue like his to accommodate and do shows that could ıutdoors. He asked if the Commission would support his efforts.

ry Toronto stated 12 Galaxies was a great space and hoped the neighbors could k out their concerns. He added 1015 Folsom brought on problems themselves their security was aggressive. He added to remind the permit holders not to help

use of illegal limousine services. He added if they could create links on the ertainment Commission's website of some of the major permit holders to events /ould good to know what was going on. He added the Commissioner should port Caesar Ascarrunz permit.

lic comment closed.

2. REVIEW AND APPROVAL OF MINUTES OF APRIL 18, 2006

lic Comment
ublic comment.

Commissioner Lorin move to approve the minutes of April 4, 2006 Commissioner Joseph second the motion.

TE:
- Commissioner Meko, Commissioner Joseph, Commissioner Pred Commissioner Lorin, Commissioner Shlain, nissioner Leong and Commissioner Alan
- None

HEARING AND POSSIBLE ACTION REGARDING APPLICATIONS FOR PERMITS UNDER THE JURISDICTION OF THE ENTERTAINMENT COMMISSION.

ir Shlain stated he was asked to switch an item out of order.

Teevan, Kim, dba Maitri/Bambuddha Lounge, 601 Eddy Street, Loudspeaker, Sunday May 7, 2006, 5PM - 9PM.

lyn Kane stated the permit application was before the Commission because of one neighbor that consistently expressed his unhappiness that there are outdoor events at the Phoenix Hotel. She d the application was for a fundraising event on Sunday from 5:00 P.M. to 9:00 P.M.

Davis stated the police have been out to venue observe and there were no violations.
mmissioner Joseph stated Kim Teevan was one of San Francisco best producers and was lved with a fundraiser with her that raised a lot of money. She added they needed more events this in San Francisco. She added she supported the permit.

mmissioner Lorin stated the police stipulations stated the speakers for their outdoor event face in Street and not exceed 60 disciples. He added was the applicant in agreement with the lations.

Milano stated she was in agreement with the stipulations.

Commissioner Leong move to approve Commissioner Joseph second the motion.

:
- Commissioner Meko, Commissioner Joseph, Commissioner Pred Commissioner Lorin, Commissioner Shlain, nissioner Leong and Commissioner Alan
- None

Ascarrunz, Cesar, dba Cesar's Latin Palace, 61 Golden Gate Avenue/1028 Market, Place of Entertainment.

Davis stated this was an item that was continued twice. He added he spoke with the City rney and they had no objection to granting conditional approval of the permit. He added there still outstanding notices of violations and Mr. Ascarrunz was aware before the permit was issue

ad cure all the violations. He added staff recommends a conditional grant.

ar Ascarrunz stated he got approval from the electrical department. He added he did public each in the area including Glide Memorial and others venues in the area supported his permit ving he will benefit the community. He added he had a letter of support from the Chief's office. sked the Commission to give him a chance to give him something back to San Francisco.

cer Torres stated he was representing Officer Brown from the Tenderloin Police Station mmended approval with the conditions they submitted.

imissioner Alan stated with regards to the recommendation conditions would the Police artment find any offense or objection that the permits not reflect the specific requirements use they were part of the issuance of the permit itself because it seemed redundant.

cer Torres stated the conditions were set in there because of past experience of the previous er of the nightclub because there was confusion on what permit was needed and which permits there. He added if the conditions were on the permit itself it would be easier for officers to tify for inspection because it was all in one and avoid a lot of problems in the future.

ir Shlain stated the commission talked about the concept in terms of having a one-stop shop it.

imissioner Joseph stated the occupancy of a venue should be located at the door and the permits ose to the door as possible easily accessible.

imissioner Meko stated the Commissioners agreed with everything on the applicant's permit reasonable and everyone agreed. He added it came down to the question rather it should be on ermit or not. He added his opinion in was not appropriate that it be on the permit. He added he ld not encourage it being on the permit.
cer Torres stated he was well schooled on the nightclub permits, but the particular police officer know knowledgeable of the permits. He added in an effort to avoid conflict they should be on ermit the officer would see it and it would be helpful.

imissioner Joseph stated would it be helpful to have a handout stating what the officers should for on the permit and would they hand it out.

cer Torres stated he was not sure it was up to the individual.

imissioner Alan stated they have had discussions about this in the past and they had not come to cessary conclusion. He added with the chairs permission he would put it on the legislative da and rivet it and bring it forward to the full commission.

ir Shlain in the meantime the Executive Director and Deputy Director could come up with mmendations and Commissioner Alan could bring up his recommendations after he talked to s and some Commissioners as to what would be the best process to educate the Commission and olice department on a protocol where those things could be found.

k Rennie stated last Commission meeting when Mr. Ascarrunz permit was on the agenda he was le hot under the collar. He added he said something hastily and sort of implied that the staff had complicate with Nelly Palmer at the City Attorney's office and apologized because he spoke to He added Mr. Ascarrunz had a great place on Mission Street. He added Mr. Ascarrunz was ing some of the subtleties that he and Mr. Ascarrunz attorney thought were going on. He added Ascarrunz tried to electrical permit to try and fix a number of things the electrical inspector said would not give him a permit. He added the Chief building inspector Carla Johnson stated they ld not issue any permits on the property until all issues were resolved. He added the building a public assembly permit and there was no change of use and no required sizemick upgrade. He

:d they were refusing to give him permits and was getting the run around from the city and the ımission should be aware of it. He added the city was decided to kill all the venues they did not cularly want to have in San Francisco.

lic Comment
›ublic comment.

Commissioner Joseph move to approve with only having occupancy on the permit and the Good Neighbor Policy having Commissioner Meko second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Joseph, Commissioner Leong, Commissioner Shlain Commissioner Pred and Commissioner Lorin
NOES - None

b) Jones, Bob, dba Impala, 501 Broadway Street, Place of Entertainment.

Jocelyn Kane stated on March 20, 2006 and Mr. Rennie was present representing the new owners. She added the applicants have applied for a place of entertainment only and staff and City Planning has recommended approval.

Bob Davis stated there was a request from Central Police station to hold the permit for three months. He added staff recommends approval.

k Rennie stated the Impala was one of the good venues on Broadway. He added the applicant's : skilled operators. He added they were operating in compliance with Office Crisp. He added would request a conditional grant.

ımissioner Alan asked was there a floor plan. He added the Commission should have it on file, is refer to in the application. He recommended that their exterior smoking area after 10:00 P.M. ›rohibited from patrons consuming alcohol, it was problematic based on his observation. He :d it created a problem for enforcement and street traffic unless there was a security person ide monitoring the area at all times.

ımissioner Joseph stated would his security be trained under the guard card course.

rew Adelman stated they were trained in guard card training.

ımissioner Meko asked if the applicant looked at the recommendations. He added the applicant ld abide by the Good Neighbor Policy and have a cell phone on the premises and make it lable to those in the surrounding area and be answered at all times by someone in authority.

rew Adelman stated he did not have a chance to look at the recommendations. He added he ld make his number available and would send over the floor plans to the Entertainment ımission office.

k Rennie stated his clients did not apply for an after-hours permit would like to stay open until A.M. or 3:00 A.M.

Chair Shlain stated the North Beach had a zoning requirement and unless they variance on the Planning Commission zoning for North Beach they were stuck with 2:00 A.M.

Public Comment
No public comment

Commissioner Lorin moved to approve Commissioner Leong second the motion.

VOTE:
AYES - Commission Alan, Commissioner Joseph, Commissioner Shlain Commissioner Pred, Commissioner Meko, Commissioner Leong and Commissioner Lorin
NOES - None

a. Acworth, Peter, dba Palace Arts Foundation, 942 Mission Street, Place of Entertainment/Extended Hours Premises.

Jocelyn Kane stated the applicants were present to apply for a place of entertainment and extended hours premises. She added the applicant's request to have a place of entertainment without a permanent liquor permit primarily to assist with fundraisers for variety events such as Burning Man and event festival. She added staff recommends approval.

Peter Acworth stated they wanted to put together infrequent parties once ever two weeks or once a month for the benefit of Burning Man groups and sex positive institutions and other non-profits.

Commissioner Joseph stated the police recommendations gave them Tuesday through Sunday 6:00 P.M. to 4:00 A.M. She added did they want to go until 6:00 A.M. and open on Monday if the possibility came up.
r Acworth stated they would accept it for the possibility of New Years Eve could happen to be on onday. He added their original applications specified Sundays and holidays. He added if they d relax the restriction it would be great. He added they had the possibility to go on until 6:00 . that would be great.

ımissioner Meko stated would there be any type of sound issues.

a Granelli stated he tested the building and it was soundproofed and there would be no sound :s.

ımissioner Alan offered a friendly amendment to for them to stay open seven days a week until A.M.

<u>lic Comment</u>
ıublic comment

Commissioner Leong moved to approve open seven days a week until 6:00 A.M. and attachment of the Good Neighbor Policy Commissioner Alan second the motion.
VOTE:
AYES - Commission Alan, Commissioner Joseph, Commissioner Shlain Commissioner Pred, Commissioner Meko, Commissioner Leong and Commissioner Lorin
NOES - None

4. REPORT FROM THE EXECUTIVE DIRECTOR

Davis stated North Beach Task Fore was a task force that was convened by Commissioner in. He added they have had in attendance Commissioner Joseph and Commissioner Alan and : were a series of recommendations that were bought forth which would be presented in a written ı at the next meeting. He added they had the first mini task force go out this weekend. He added 'eedback from Central station was positive. He added some of the recommendations would be zed on a broader basis outside of North Beach. He added they would continue to report over the four weeks. He added proposed legislation by Supervisor Mirkarimi, which talks about potential ıtorium on the lower Haight. He added he had a meeting with the Supervisor to talk about the ifics.

ımissioner Meko stated the moratoriums had an eighteen-month life span with the opportunity to ınd them to 24 months.

a Granelli stated since the creation of the Sound Technician position there have been over 40 d tests in San Francisco and he and staff have worked with SFPD, the Fire Department, Central, ;ion and Park Station and with the North Beach Task Force. He added they worked well with the ır Chavez Birthday and such events and worked well with improving situation at AT&T Park. ıdded they have found over 10 to 20 locations that have been operating without permits. He :d they have had some good success. He added they have meet with several venues to help :t the improvements of the spaces and the complaints between the venue and the neighbors. He :d 12 Galaxies have been out several times and make sure that the soundproofing was going ·ard and the sound proofing had been completed as of last week. He added he would take a new d test in Mr. Dudley's residence this weekend to see where the club stands with their ·ovements. He added Club Six had been tested and inspected with a few member of SFPD and have passed the new space and they patched in a limiter on their sound system. He added the e was still an open investigation and they need more sound testing and could not comment on it more field test was done. He added Caliente had been approved and had better control over door and their lines.

ımissioner Meko stated there was a unfairness if all the clubs in south of Market go to the steps ssary and pay all of the money necessary to have a place of entertainment permits and speaker permits and they have an institution on a weekly basis is in violation.

a Granelli stated he understood the Commissioner's concerns but he was spread really thin.

Davis stated he had spoke to Captain O'Leary on three occasions. He added Vaj did not have ıbility to site them, he could write a report about their noise. He added they have informed hern Police station they were operating and had not been issued a permit by the Entertainment ımission on three occasions.

ımissioner Alan made a request that Vajra amend his report to include that he was present.

lyn Kane stated the Entertainment Commission through staff was involved as well and working oor event producers and people who work with staff getting loudspeaker permits to put rtainment along with their street closures and staff was actively involved with trying to make sure ɜ of the events including the Haight Street Fair and the North Beach Fair and the Fillmore Jazz :t Fair were not being put out of business by small steps for fees and police services and ictions being imposed on them. She added they were attending meetings asking for the police to : with the fair and festival organizers on a regular basis. She added Commissioner Alan with his night coalition had attended some of the meetings.

Davis stated through staff he participated in writing the RFP for the international festival that has awarded.

5. RESOLUTION BY THE SAN FRANCISCO ENTERTAINMENT COMMISSION TO COMMEND AND SUPPORT THE FIRE ARTS COALITION.

Davis stated Dorji Roberts had the wording for the resolution but was out of the office. He :d the Commission's resolution should say that it is a resolution by the San Francisco rtainment Commission that commends and supports the Fire Arts Coalition and Fire Arts rtainment in general.

Public Comment
None

Commissioner Alan moved to support the Fire Arts resolution Commissioner Leong second the motion.

VOTE:

AYES - Commission Alan, Commissioner Joseph, Commissioner Shlain Commissioner Pred, Commissioner MekoCommissioner Leong and Commissioner Lorin

NOES - None

5. REPORT FROM THE LEGISLATIVE COMMITTEE

ımissioner Alan stated they had very productive and had a large agenda they were moving ard. He added on an ongoing basis they were discussing entertainment ordinances updates and e moment they had nothing to bring to the full Commission. He added they are in the process of ıssion with Supervisor Peskin with a trial 6-month period of extended premises for North Beach art of the overall task force recommendations for how legal patrons might exit North Beach y. He added they have discussion about the permit fee matrix, and fine structure if they were to venues in violation. He added at the next Legislative Committee meeting most of the meeting be to discuss and review the adult entertainment permit as it was presented to the commission so can begin to have dialog if the permit lands in the Commission's lap at some point there should ı ongoing discussion and a opportunity for community input.

6. COMMISSIONER COMMENTS AND QUESTIONS.

ir Shlain stated the Entertainment Commission was invited to speak at the Western Soma :en Planning Task Force. He added there were some members of the Commissioners that were t and against it. He added the issue should be brought to the full Commission because it did lve some sensitive issues and if the Executive Director should attend the meeting. He added it ld be put on the next agenda as an action item.

ımissioner Joseph stated the Entertainment Commission's sound officer was going back to :ing venues doing sound control and enforcement. She added the Commission should get bursement because of the Commission's budget. She added you could force developers to dproof their buildings and force developers to put in their CCR that entertainment was there and : the developers to comply the onus was not only on entertainment. She added she wanted to :lop some kind of educational material to give venues to let them know of their rights be because ousing going in. **Commissioner Lorin** stated wherever the place of entertainment it should ed the same scrutiny whether it's under a freeway or in the financial district. He added he was ɔpointed and embarrassed in the SFPD. He added 35 years ago if a police officer wanted to get ıoted the had to study certain books and one was the municipal police code. He added it made y officer a better police officer. He added the idea for a cheat sheet was a good idea. He added Commission should ask for it.

ımissioner Pred stated he would be absent for the next Commission meeting and will be on his :ymoon. He introduced the Electronic Music Dance Events Study and background on Brenda er. He added she by way of Terrance Alan and did a presentation at the Legislative Committee ome of the studies they were doing. He added the work they were doing was fantastic. He :d he wanted to write a letter of introduction that would help to open the doors for her efforts in Francisco and if there needed to be a full presentation it could be agendize but otherwise they d move forward with a letter and he would work with staff on drafting a letter of introduction.

ımissioner Meko stated he would attend the annual Potrero Boosters Banquet in two weeks. He :d he had been in conversations with Supervisor Daly's office regarding the sound ordinance and ssue about outdoor music events and he was looking at some revisions in the sound ordinance. ıdded the idea of a sound summit was being worked out including other city departments and hborhood associations and SFLNC and began discussions on how the sound ordinance could be

sted.

ımissioner Alan stated his comment was to clarify the request he made for the Commission's :utive Director to come to the Western SOMA Citizens Planning Task Force to advise the task ɜ of the role the Entertainment Commission played in the current legislative milieu so they could :rstand what the Entertainment Commission did.

7. **DISCUSSION AND DIRECTION TO STAFF TO PLACE ITEMS ON THE AGENDA FOR FUTURE ENTERTAINMENT COMMISSION MEETINGS.**

ımissioner Pred stated would Commissioner Alan take the lead on the letter of introduction for tronic Music Dance Events Study for the next agenda.

ımissioner Joseph stated she would like to hear in the Executive Directors report at the next ting about other areas besides North Beach that do not have place of entertainment permits.

8. **ADJOURNMENT**. 8:08. P.M.

Respectfully submitted by Crystal Stewart.

Entertainment Commission
City and County of San Francisco

Notice and Agenda for Regular Meeting
Tuesday, May 16, 2006 at 5:00 P.M.
Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102

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Jordan Shlain, Chair - *Neighborhood Representative*
Audrey Joseph, Vice Chair - *Industry Representative*
Terrance Alan, Commissioner - *Industry Representative*
Bowman Leong, Commissioner - *Urban Planning Representative*
Bruce Lorin, Commissioner - *Law Enforcement Representative*
Jim Meko, Commissioner - *Neighborhood Representative*
Joseph Pred, Commissioner - *Public Health Representative*

SF
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#1
5/16/06

CALL TO ORDER AND ROLL CALL

1. **PUBLIC COMMENT:**

   Members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission. With respect to agenda items, members of the public may address the Commission for up to three minutes at the time such item is called.

2. **REVIEW AND APPROVE MINUTES** of May 2, 2006. **[Action Item]**

3. Request For a resolution from the Commission directing the Executive Director to present to the "San Francisco Western SoMa Citizens Planning Task Force" and its sub-committees a description of the duties and responsibilities of the Entertainment Commission. The discussion shall be limited to the scope of authority of the Commission including:

   1. Brief history of the Entertainment Commission and the enabling legislation,
   2. An overview of the staff positions and duties,
   3. An outline of the Commissioner composition and meeting schedule,
   4. The type and number of permits within its jurisdiction,
   5. A description of the process from the application for a permit to the granting of a permit.

ENTERTAINMENT COMMISSION
1 DR. CARLTON B. GOODLETT PLACE, ROOM 453 SAN FRANCISCO, CA. 94102
(415) 554-6678 ■ (415) 415 554-5793 ■ Fax (415) 554-7934

6. A description of the "Good Neighbor Policy" which conditions each permit,
7. Real case reports on the Commission's responses to impacts resulting from its permittees such as the "North Beach Taskforce" and'
8. Questions and Answers that arise from the presentation. **[Action Item]**

4. **HEARING AND POSSIBLE ACTION** regarding applications for permits under the jurisdiction of the entertainment commission. **[Action Item]**

   a) **Myers, Sarah, dba Hartmann Studios/Meals on Wheels, Loud Speaker Permit, Pier 30/32, Sunday, May 21, 2006, 5:00 PM to 11:00 PM.**

5. **REPORT FROM THE EXECUTIVE DIRECTOR,** Bob Davis Update on North Beach Task Force meeting, report on findings by the permit appeals board on Hollywood Billiards. Vajra Granelli's Report on SOMA Clubs. **[Discussion]**

6. **REPORT FROM THE LEGISLATIVE COMMITTEE.** Terrance Alan, (Chair) Update on agenda items before the Committee. **[Discussion]**

7. **COMMISSIONER COMMENTS AND QUESTIONS.**

8. Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings. **[Action Item]**

ADJOURNMENT.

Please see attached for the Entertainment Commission's interim policy on accessibility to its meetings.

DISABILITY ACCESS

Room **406** is wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #42 Downtown Loop, the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI services, call 923-6142. Large print agendas are available. Sign language interpreters are available upon request by contacting the Entertainment Commission Office at least two working days prior to a meeting. Individuals with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities should also call the Entertainment Commission Office. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. A TDD phone for the Entertainment Commission is available on request.

The ringing and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Pleased be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at **www.ci.sf.ca.us/bdsupvrs/sunshine.** For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact:

Sunshine Ordinance Task Force
Donna Hall, Administrator
City Hall, Room 409
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Office: (415) 554-7724
(Fax): (415) 554-7854
(E-mail): Donna_Hall@ci.sf.ca.us

WRITTEN COMMENTS

Persons attending the meeting and those unable to attend may submit written comments regarding the subject of the meeting. Such comments will be made part of the official public record and will be brought to the attention of the Commission. Written comments should be submitted to the Entertainment Commission c/o Jocelyn Kane, Entertainment Commission, Room 453 City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

"Explanatory Documents: Copies of explanatory documents listed in this agenda, and other related materials received by the Entertainment Commission after the posting of this agenda, can be obtained during normal office hours at the Entertainment Commission office on the 4th floor of City Hall, 1 Dr. Carlton B. Goodlett Place, Room #453, San Francisco, CA 94102, and also, to the extent possible, will be available on the Commission's website at http://www.sfgov.org/entertainment."

City and County of San Francisco
Entertainment Commission

May 16, 2006

ENTERTAINMENT COMMISSION
City and County of San Francisco

MINUTES OF THE

May 16, 2006
City Hall, Room 406

Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

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COMMISSIONERS

Present
Terrance Alan
Jim Meko
Jordan Shlain
Bowman Leong
Bruce Lorin
Audrey Joseph

STAFF

Present
Robert Davis, Executive Dir.
Jocelyn Kane and Crystal Stewart

1. CALL TO ORDER

The Commission Chair called the meeting to order at 5:11 P.M.

ROLL CALL

Bob Davis called the Roll.

Present at the meeting were Commissioners Jim Meko, Bowman Leong Terrance Alan, Jordan Shlain, Audrey Joseph and Bruce Lorin

Absent at the time of roll call were: Joseph Pred

Staff present was, Robert Davis, Jocelyn Kane and Crystal Stewart.

2. PUBLIC COMMENT

Mar Rennie stated Thursday night was the opening of the San Francisco International Arts Festival and the Fire Arts Festival at parking lot C at Monster Park. He added in the last couple of days there was a nuisance lawsuit brought by the City of San Francisco against Vixen at 270 Columbus. He added there was a gentleman who had a contract to buy the place and the City attorney to join him as a doe defendant to the lawsuit. He added the latest in the Hollywood Billiard/ Club Q. saga was that he got a letter from the attorney for the owner who informed Mr. Asscurunz that they canceled the lease assignment and therefore Mr. Asccurunz did not have a lease on Hollywood Q.

Public comment closed.

3. REVIEW AND APPROVAL OF MINUTES OF May 2, 2006

Public Comment
No public comment.

Commissioner Alan move to sever the minutes of May 2, 2006 Commissioner Leong second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Joseph and Commissioner Leong Commissioner Lorin and Commissioner Shlain
NOES - None
ABSENT - Commissioner Pred

Request for a resolution from the Commission directing the Executive Director to present to the "San Francisco Western SoMa Citizens Planning Task Force" and its sub-committees a description of the duties and responsibilities of the Entertainment

Commission. The discussion shall be limited to the scope of authority of the Commission.

Chair Shlain stated there would be some planning recommendations coming out of South of Market. He added Commissioner Meko is on the task force that was overseeing the process of adoption of policy changes. He added Commissioner Alan sat on a subcommittee of the task force and the task force itself as a representative.

Commissioner Alan stated the last zoning changes in south of marked put a prohibition on any new entertainment permits being issued and any intensification or expansion of the existing permitees that were grandfathered in. He added it was the mandate of the Entertainment Commission to find ways to find comfortable and appropriate homes for entertainment within and throughout the city and to promote the activity. He added the Executive Director would be present to give the task force information about the one thing that has changed in south of market as it relates to entertainment and we now had an Entertainment Commission. He added when the planning was written 20 years ago there was no Entertainment Commission. He added it was important the successes they seen with the North Beach Task Force and the Sound Technician and the track record of the Entertainment Commission be understood because it was one of the changes that had happened.

Chair Shlain stated would there be a representative doing equal benefiting of the neighborhood?

Commissioner Alan stated there would be.

Commissioner Joseph asked had other directors made presentations before the SOMA Task Force. She added as an appointee on the Entertainment Commission to represent entertainment she had noticed there was a growing movement in San Francisco called not in my backyard. She added most residents did not want reasonable mixed-use areas if it disturbed them.

Commissioner Alan stated they had. He added his request to the Task Force to set in motion a series of meetings about entertainment.

Commissioner Joseph stated the Visitor and Convention Bureau reported there was no measurable increase in activities in nightclubs were they would actually be able to pay their bills. She added more clubs were closing an going bankrupt and people were desperate not to lose their business and do things she never had to do by doing events that bring in an element that would otherwise not be brought in if they were able to pay their rent. She added it was important to her that the Task Force recognized the benefit to entertainment. She added convention would not come to San Francisco if they had no place to go after they do their meetings. She added if they did not provide them with entertainment venues they would not go quietly. She added the conventions brought in hotel tax money that the city depended on and brought in other kinds of income. She added they either treat the city the way it should be treated and not put restrictions on entertainment to the point were it could not survive. She added how did Commissioner Alan see if the Executive Director of the Entertainment Commission going to the influence the Task Force

Commissioner Alan stated by giving the real life description of what the Commission had accomplished with the direction of the Chair Shlain in North Beach. He added North Beach had neighborhood issues with neighbor related problems that were attributed to the entertainment permitted venues. He added the Task Force was put together in a way were it was not directed as a slap or a closure or an assault against the industry of nighttime entertainment. He added it had been immediate and successful. He added it was that kind of action that was not available when the Police Department ran the permitting for entertainment and it was a huge change that the Task Force needed to digest as they tread the water towards looking at entertainment as a conditional or permitted use. He added they should make their decisions and be provided with all the information that is available to them.

Commissioner Meko stated he thought he understood the Task Force better than anyone since he wrote the legislation that created the Task Force. He added they had a three-year mandate to write an entirely new neighborhood plan for SOMA. He added it was a reassessment of all the aspects of what was happening in the community. He added SOMA was the most abused portion of the city over the past 20 years. He added the purpose behind creating the Task Force was the input of the neighborhood residents. He added the Task Force representatives for nighttime entertainment, the arts, for people who live in SRO housing and market rate developers were being brought to the table for discussions. He added they aiming to stabilizing the community. He added they were looking on controls of luxury housing because of the low-income communities. He added he had also support-improved opportunities for entertainment for SOMA. He added with regard to the Mr. Davis being invited by Commissioner Alan to appear with him at the Task Force Committee meeting. He added his hesitation was because it was a recommendation for a zoning reform and had nothing to do with stabilizing the community. He added he supported entertainment but this time they had to have a conversation with the community, which included owners of the venues and the people who lived near the venues and people who go to the venues. He added he was uncomfortable with the Director being including in attending in the small circle and give the appearance of the position of the Entertainment Commission that had specific position on the zoning of South of Market and until they voted on something he felt they did not have a position and felt everything the advocated for had the support of the Entertainment Commission. He added no other Director had appeared before a Task Force or any of its committees. He added the appearance of taking sides could do more harm than good. He added he supported looking at reforming entertaining zoning in the south of Market but questioned whether it was the right time for the Entertainment Commission to be taking position.

Commissioner Leong stated were there neighborhood representatives. He added he did not have a problem with the Director attending the meeting. He added why the issues could not be tackled by Commissioner Meko.

Commissioner Alan stated there were many. He added he was asked to define what precisely what Mr. Davis would speak to which was why there was a detailed list of activities. He added with inherently to their positions on the Commission they brought a certain bias to the discussion.

Commissioner Lorin stated he would hope that Commissioner Meko and Commissioner Alan would make not representation at the meeting that they were representing the Commission. He added if any representation should be there it should be the Director and agreed with the eight points to tell what the Commission was about.

Commissioner Alan stated that was why he asked the director to be present because it was inappropriate for him as an entertainment seat and advocate to try to be a neutral party and speak for the Commission.

Public Comment

John Wood stated for the purpose of clarification the SFLNC was asking that the rezoning of SOMA happen within the context of the Task Force. He added they were not looking to rezone entertainment in SOMA. He added they have been looking for a solution to the issue that had been long running about restaurants and small bars that had DJ's that could not get permitted that were operating illegally and existed in a limbo status because of the zoning of SOMA. He added they have never proposed they were legalizing nightclubs in South of Market. He added he did not appreciate the inaccuracies that were being presented.

Mark Rennie stated he moved in SOMA 1973 and watched SOMA develop over the thirty-three years. He added compared to how it was when he moved there, there were people on the street at night and things were going on. He added as soon as the planning commission tried to

legislate entertainment and artist living there it was a problem. He added now there was nothing going on in the area. He added people should know there is some value to entertainment and people should support it.

Commissioner Meko move to approve the Execrative Director to attend the Task Force Meeting to make a presentation to the Task Force on eight items. Commissioner Leong second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Joseph, Commissioner LeongCommissioner Lorin and Commissioner Shlain
NOES - None
ABSENT - Commissioner Pred

4. HEARING AND POSSIBLE ACTION REGARDING APPLICATIONS FOR PERMITS UNDER THE JURISDICTION OF THE ENTERTAINMENT COMMISSION.

a) Myers, Sarah, dba Hartmann Studios/Meals on Wheels, Loud Speaker Permit, Pier 30/32, Sunday, May 21, 2006, 5:00 PM to 11:00 PM.

Jocelyn Kane stated the applicants were not present because any issues with the Port and the residents around the Pier were worked out. She added it was a fundraiser for Meals on Wheels and will take place on Pier 30 and 32 inside a tent. She added it would be an auction and a sit down meal and entertainment scheduled to go until 11:00 P.M. He added Southern station; Fire and Health have recommended approval. She added she added she had written approval from the neighborhood groups in the area.

Captain O'Leary with Southern Station stated the code did call for the sound permit to end at 10:00 P.M. He added the neighbors down at Pier 30 and 32 were well organized and had no objections. He added he had no objections for Hartman Studios to run their event until 11:00 P.M. as long as the speakers were pointed out to the bay.

Commissioner Meko stated he was worried if 11:00 P.M. came and the music would continue. He added was there a contingency to stop the music and enforcing a cool down period?

Captain O'Leary stated they were reputable and if there were a noise complaint generated they would handle it and make sure the speakers were shut off at 11:00 P.M.

Public Comment

John wood with the SFLNC stated as an event producer if your sound permit said 11:00 A.M. police officers would be there to shut it down.

Mark Rennie stated he was sure Hartman Studios were great people and seemed to be very professional. He added he why was it that Hartman Studios seemed to get an exclusive on Pier 30 and 32 in September and October and now May. He added he tried to get a client there and he was told it was all booked. He added he found out Hartman Studios put up a bunch of tents and sublet it out. He added he was going to make a public records request of the Port of San Francisco. He added there had a situation were a private entity was making money off of City lands to the inclusion of any one else in the city that might want to have a festival.

Commissioner Alan move to approve t the Commissioner Lorin second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Joseph, Commissioner LeongCommissioner Pred,

Commissioner Lorin and Commissioner Shlain
NOES - None

5. REPORT FROM THE EXECUTIVE DIRECTOR, Bob DAVIS UPDATE ON NORTH BEACH TASK FORCE MEETING; REPORT ON

Bob Davis stated the North Beach Task Force had its third meeting and out of the meeting came a series of recommendations. He added the primary was the advent of a work group that included the Entertainments Commission's sound technician, a member of the Fire Department, a member or two from Central station and a member of ABC. He added the ABC had not participated at this point. He added the work group had been out on the weekends working with the venues owners and issued a few citations and warnings and following up. He added the clubs were started to adhere to the law. He added they have received emails from neighborhood groups that the neighborhood was improving. He added there would be another meeting on May 25, 2006 at City Hall. He added Hollywood Billiard's appealed their denial the action was continued over a period of time and it was heard before the Commission May 3, 2006. He added the Commission approved the issuance of a Billiard Permit because they could not find in within the code a prohibition of noise as a determining factor in the permit but denied the Extended Hours and their Place of Entertainment.

Vajra Granelli stated Northern had started to move forward a little more in a positive direction. He added the next hot spot on his list was SOMA. He added the difference was SOMA was very large and reports would be given over time on blocks. He added he recently worked on the 6th Street corridor off of Market Street and the surrounding areas on ongoing problem with Club 6 sound. He added they had done a considerable amount of work on soundproofing and had been able to cut the vibration in to residents above to nothing. He added there were still sound issues from the venue and he would continue to work with Mr. Cruz to solve the issues. He added the Palace Arts Foundation were doing a good job with their sound issues as well as Cats on Folsom. He added Boca had no more sound leakage onto the street. He added he felt confident that a lot of the issues would be solved. He added that the venue owners saw what they were doing in Broadway and North Beach and they understood that if they were skating by in the past it was time to clean up their act and they were willing to do that.

Public Comment

Daisy Anarchy stated the last meeting she attended the Commissioners incorrectly stated there were no strip clubs that were currently permitted by the Entertainment Commission. She added there were four currently permitted or should have permits which were in North Beach the Hungry Eye, Broadway Showgirls, Hustler Club on Kearney and the Gold Club on Howard. She added all of them had been consistently in violation of their entertainment permit and one of the violations was 1060.10. She added they also had the worst ABC violations, criminal and labor law violations as well. She added they were employee safety issues of women being assaulted on the job. She added it was an issue that should be covered in the North Beach Task Force meetings as a problem with the entertainment in the North Beach area and asked that the issue be agendized on the next North Beach Task Force meeting and they be allowed to speak at the meetings.

Chair Shlain wanted clarification on the four venues that were currently permitted by the Commission.

Bob Davis stated any club that served food or alcohol fell under the jurisdiction of the Entertainment Commission for a place of entertainment. He added the Commission did not issue the permits but they fell under the auspice of the Entertainment Commission. He added they Hungry Eye and the Garden of Eden had come to the attention as real problems and they had been in communication with the health department he added unless there were specific

citations issued by the police.

6. REPORT FROM THE LEGISLATIVE COMMITTEE.

Commissioner Alan stated the Legislative Committee met once a month on Friday's between meetings and there was nothing to report at this time.

7. COMMISSIONER COMMENTS AND QUESTIONS.

Commissioner Joseph stated when she was president of the Commission she sent around an email worded by the City Attorney saying the Commissioners should be respectful of each other and of the applicants. She added she had notice the tenor and tone of some of the Commissioners had not been respectful of each other nor of the applicants. She added the Commissioners should not treat the applicants like they were stupid and to treat each other with respect.

Chair Shlain stated he agreed and it went with for the public as well and he would not tolerate public badgering of Commissioners and the public.

Commissioner Lorin stated the Commission should do something with information that was given by the public if it was pertinent if a venue was operating illegally. He added as a body the Commission should have some kind of forum for the Director to the Police department that violations had been brought to the Commissions attention and for them to look into it.

8. DISCUSSION AND DIRECTION TO STAFF TO PLACE ITEMS ON THE AGENDA FOR FUTURE ENTERTAINMENT COMMISSION MEETINGS.

ADJOURNMENT. 7:30 P.M.

Respectfully submitted by Crystal Stewart.

Entertainment Commission
City and County of San Francisco

Notice and Agenda for Regular Meeting
Tuesday, June 6, 2006 at 5:00 P.M.
Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102

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MEMBERS OF THE COMMISSION

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Audrey Joseph, Vice Chair - *Industry Representative*
Terrance Alan, Commissioner - *Industry Representative*
Bowman Leong, Commissioner - *Urban Planning Representative*
Bruce Lorin, Commissioner - *Law Enforcement Representative*
Jim Meko, Commissioner - *Neighborhood Representative*
Joseph Pred, Commissioner - *Public Health Representative*

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6/6/06

CALL TO ORDER AND ROLL CALL

1. PUBLIC COMMENT:

   Members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission. With respect to agenda items, members of the public may address the Commission for up to three minutes at the time such item is called.

2. REVIEW AND APPROVE MINUTES of May 16, 2006. **[Action Item]**

3. HEARING AND POSSIBLE ACTION regarding applications for permits under the jurisdiction of the entertainment commission. **[Action Item]**

   a) **Young, Max, dba "The Bamboo Hut" at 479 Broadway, Place of Entertainment.**

   b) **Sarmiento, Garay, dba "Lucy's Place" at 4511 Mission Street, Billiard Parlor.**

4. REPORT FROM THE EXECUTIVE DIRECTOR, Bob Davis Update on North Beach Task Force meeting, SOMA and Summer plans. Report from Sound Technician Vajra Granelli's on recent activities. **[Discussion]**

ENTERTAINMENT COMMISSION
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5. **REPORT FROM THE LEGISLATIVE COMMITTEE.** Terrance Alan, (Chair) Update on agenda items before the Committee. **[Discussion]**

6. **COMMISSIONER COMMENTS AND QUESTIONS.**

7. Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings. **[Action Item]**

ADJOURNMENT.

Please see attached for the Entertainment Commission's interim policy on accessibility to its meetings.

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The ringing and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Pleased be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

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Sunshine Ordinance Task Force
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City Hall, Room 409
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Office: (415) 554-7724
(Fax): (415) 554-7854
(E-mail): Donna_Hall@ci.sf.ca.us

WRITTEN COMMENTS

Persons attending the meeting and those unable to attend may submit written comments regarding the subject of the meeting. Such comments will be made part of the official public record and will be brought to the attention of the Commission. Written comments should be submitted to the Entertainment Commission c/o Jocelyn Kane, Entertainment Commission, Room 453 City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

"Explanatory Documents: Copies of explanatory documents listed in this agenda, and other related materials received by the Entertainment Commission after the posting of this agenda, can be obtained during normal office hours at the Entertainment Commission office on the 4th floor of City Hall, 1 Dr. Carlton B. Goodlett Place, Room #453, San Francisco, CA 94102, and also, to the extent possible, will be available on the Commission's website at http://www.sfgov.org/entertainment."

City and County of San Francisco
Entertainment Commission

June 6, 2006

ENTERTAINMENT COMMISSION
City and County of San Francisco

MINUTES OF THE

June 6, 2006
City Hall, Room 406

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COMMISSIONERS

Present
Terrance Alan
Jim Meko
Jordan Shlain
Bowman Leong
Bruce Lorin
Audrey Joseph

STAFF

Present
Robert Davis, Executive Dir.
Jocelyn Kane and Crystal Stewart

1. CALL TO ORDER

The Commission Chair called the meeting to order at 5:10 P.M.

ROLL CALL

Bob Davis called the Roll.

Present at the meeting were Commissioners Jim Meko, Bowman Leong Terrance Alan, Jordan Shlain, Audrey Joseph and Bruce Lorin

Absent at the time of roll call were: Joseph Pred

Staff present was, Robert Davis, Jocelyn Kane and Crystal Stewart.

2. PUBLIC COMMENT

Ken Knapp stated he lived in the same building were the Moby Dick Bar was on 18th Street. He added since they have had their permit there had been nothing but problems. He added he has been trying to get help from the Entertainment Commission since they were issued their permit there had been nothing but problems.

Bob Davis stated he has corresponded with Mr. Knapp and told him that Vajra Granelli would get in touch with him and check the venue out.
Chair Shlain stated at some point down the road Vajra would come to his residents when it was loud and take measurements because it was the only way the Commission could effectively have objective measurements to take action. He added the Commission had been active in the North Beach area and a lot of his time was spent there trying to fix the North Beach problem.

Commission Alan stated there were electronic devices called sound limiters that were available to be put on the sound system and if they had one the Sound Technician can set the limiter and lock it. He added it would be a violation of their permit if it was broken into and reset.

Emery Mandel resides in South of Market Street. He added almost two years ago he was before the Commission to comment about a Place of Entertainment Extended Hours Permit for Studio Z at 314 11th Street. He added there were problems with noise levels coming from the club and the owner agreed they had a problem with the club and stated they were seeking investment on the order of 100,000.00 to try to rectify the problems and upgrade the sound system and make other improvements to the club. He added in the past two years they had not seen anything happen and the noise issues have continued. He added his neighbor slept with earplugs and was still kept awake by noise from the Studio Z. He added he appreciated how venues had to supply a number for complaints, however how often did the residents have to call in to complain about the noise. He added it was difficult for him to deal with them and some of the neighbors were at the end of their rope with Studio Z and were ready to file a nuisance lawsuit. He added he would hate to see it go down that path. He added Studio Z was an embarrassment not just to the nightclub industry in San Francisco and the Entertainment Commission because they felt like they have not submitted in any way the letter of the law with regards to keeping noise admissions from their facility under control.

Scott Dudley stated he wanted to update the Commission on what was going on with 12 Galaxies for the month of May. Her added the clubs earlier soundproofing efforts did produce an audible change in sound level but it did not fix the problem entirely and had not seen anything since. He added he still called the club to have them turned the volume down which either lead to a voicemail system or no noticeable change in sound level volume. He added they were 17 months into the situation and they were still monitoring what was going on and there was still no

maximum sound level established for the club. He added he would be frustrated if he had to continue to drag himself and his neighbors to more meetings to demonstrate that problems still existed. He added the Commission sent a letter to the club giving them 10 days to correct their sound problems and the 10 days were up on April 29th and hoped the commission would calendar a discussion or possible action on what needed to happen.

Commissioner Lorin stated were did the investigation stand on 12 Galaxies.

Vajra Granelli stated the last visit to Mr. Dudley's unit and took sound levels, which were much better than they were in the past. He added both he and the club were willing to set a sound limit. He added he needed the ok from the Director to proceed.

Bob Davis stated that he had spoken with Scott Dudley and unfortunately the Commission had one Sound Technician and he was stretched and had been working until 3:00 A.M. and 4:00 in the morning in the North Beach area. He added he apologized because he had not been able to schedule it.

Commissioner Joseph stated she remembered when Studio Z came for their permit and the one thing they said they would do at the time was to soundproof their ceiling and their roof. She added if that had not occurred she would suggest that Studio Z. come before the Commission to report on their soundproofing of their ceiling.

Vajra Granelli stated he was at Studio Z on a surprise visit and did a complete building walk through. He added they had a grocery list of seven to ten items that he gave them to work on.

Chair Shlain stated it would be good to have them before the Commission to get a realistic time line to hold them to.

Barry Taranto resides in San Francisco stated the End Up had eliminated their white zone. He added the owners at the end up had changed their whole attitude and it was not the same End Up and attendance was down and it was not a fun place like it was. He added the Commission should work with the Planning Department and put in white zones in the conditions of approval. He added DPT should notify the Commission when their white zone had been revoked due to non-payment. He added it was not an expensive proposition it's a safety issue and got cabs off the street at times and unloading passengers out of the middle of the street. He added there were a series of underground and there was no trouble. He added it was the attitude of the security guards at some of that clubs that made the trouble. He added the problems at 1015 Folsom was no accident due to the attitudes of their security guards brought the riff raff. He added Ruby Sky did not have that problem.

Public comment closed.

Public Comment
No public comment.

3. REVIEW AND APPROVAL OF MINUTES OF May 16, 2006

Commissioner Alan move to approve
Commissioner Lorin second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Joseph and Commissioner Leong Commissioner Lorin and Commissioner Shlain and
NOES - None
ASENT - Commissioner Pred

4. HEARING AND POSSIBLE ACTION REGARDING APPLICATIONS FOR PERMITS UNDER THE JURISDICTION OF THE ENTERTAINMENT COMMISSION

a) Young, Max, dba "The Bamboo Hut" at 479 Broadway, Place of Entertainment.

Jocelyn Kane stated the application was before the Commission as a cleanup measure. She added the Bamboo Hut and the Dragon Bar use to be the High Ball Lounge together and over the course of time they had separated as well as their liquor license and now the Bamboo Hut needed their own Place of Entertainment. She added Planning indicates it's a permitted use and the Captain at Central Station recommends approval.

Max Young stated they would not do anything different and operate within the confines of the Broadway Corridor. He added he had personally had been a strong advocate with cleaning up a lot of the clubs and had been very vocal. He added they had a very small sound system and had not intentions of increasing it.

Commissioner Alan stated if it were to be available to him would he apply for and be open after hours in part of a strategy to reduce the congestion at 2:00 A.M. on North Beach.

Max Young stated his initial thought would be no, but would be open to talk about it if they thought it would help.

Chair Shlain stated was the applicant aware of the Commission's efforts in the North Beach Area.

Max Young stated he was aware of it and thought it was great and liked that the Commission had been out there and he had hosted one of the meetings.

Public Comment
No public comment.

Commissioner Alan moved to approve
Commissioner Leong second the motion.

VOTE:
AYES - Commissioner Meko, Commission Alan, Commissioner Joseph and Commissioner Leong Commissioner Lorin and Commissioner Shlain
NOES - None
ABSENT – Commissioner Pred

b) Sarmiento, Garay, dba "Lucy's Place" at 4511 Mission Street, Billiard Parlor.

Bob Davis stated the application was submitted on May 23, 2006 prior to the meeting staff wrote a recommendation granting approval subsequent to that staff received late this afternoon information raising some concerns. He added staff would like to continue the item until the applicants had time to meet with Ingleside station and address some of their outstanding issues that dealt with how they plan on operating the facility.

Commissioner Joseph stated how did the Commission know that it was the venue.

Commissioner Lorin stated it was not the venue it was the vicinity.

Bob Davis stated there was a lot of crime activity in the area and the Police were trying to get a handle on it as well as the neighbors.

Public Comment

Steve Currier stated he was the president of the Outer Mission Residents Association. He added the police report came from Ingleside Police station and it was part of the CAD report. He added anything that came into their area regarding business with liquor licenses or entertainment came to their association to ask for their concerns or issues. He added he was glad the item was being continued because there were issues that had not been resolved. He added they noticed the posting was on May 23, 2006 and if did not give the community enough time to prepare themselves for the June 6, 2006 meeting. He added when he was aware of the posting he was out of town. He added they had a lot of issues in the vicinity and there was a library were children attend and thought there should be many more discussions with the owner and conditions needed to go on the permit.

Commissioner Joseph stated did he believe it was restaurants with bars that were causing the problems and if he did not want to see those types of businesses in their neighborhood what type of businesses did he want to see?

Steve Currier stated he did not think the restaurant or the patrons of the restaurants that have bars were causing the problems but there were people that came into the neighborhood that did cause trouble. He added there were a bunch of different issues that could attribute to gang or bad activity in a neighborhood. He added he could only rely on what he Police reports stated.

Commissioner Joseph asked Jocelyn to address his question about the May 23rd posting.

Jocelyn Kane stated the police code required a 10-day notice for Billiard Parlor's and that was why he saw the date that was posted.

Jose Ascenceco stated he lived upstairs from the bar he had two daughters he added it was a personal problem because it was a threat for his kids. He added he has witnesses in the past year a lot of acts of violence in the neighborhood and know one knew what would be coming out of the venue under the influence of alcohol.

Kathryn Kathman stated she was the chair of the Excelsior Action Group and they worked in partnership with the Bernal Heights Neighborhood Center to revitalize the shopping corridor between Silver and Geneva Avenue. She added they had very serious concerns about the venue and opposed the granting of the permit. She added there was already a precedence for violence in the area and did not want to add another spark. She added they have been working to get family friendly business into the corridor and were working to have a neighborhood that was safe in the day and at night. She added she believed it caused the potential for great problems and asked for the Commission's cooperation.

Christy Johnston stated she was a staff person that worked with the ENCORE Project that worked directly with EAG to economically redevelop Mission Street and she worked directly with Merchants Association who met once a month and she was very aware of the problems and wanted to offer some solutions an offer to work with the applicants. She added they had concerns about the type of clientele that would be attracted that had a bright red awning. She added they working to try and change the reputation and perception of danger on
Mission Street. She added she recognized they signed an eight-year lease and their rent was not cheap and would like to work with them on their business model if possible.

Scarlet Martinez stated she was the daughter of the owner of Lucy's Place. She added they did not want to bring drama to the block and they wanted to add entertainment. She added there would be food served as well.

Commissioner Joseph stated she did not live far from the area and it was pretty scary. She added the offer of assistance on how she could put together a business plan for her business and thought it would be a good idea to get a plan. She added she had concerns about how she would handle her security and it could be an issue.

Emery Mandel stated anyone could access crime reports from the SFPD website and it would be a good idea to try it out. He added maybe the police was not present in the neighborhood, which tied to the Police Department being understaffed. He added anything the Commission could do to encourage the full staffing of the Police Department would be really helpful.

Public comment closed.

Commissioner Meko stated the Commissioners all had their yearly training in ethics and city ordinance was explicit as to the respect that must be accorded to public comment and the role of the public in community meetings. He added it was understood that the public was given a fixed amount of time and not engage in personal attacks on any Commissioner and do not attempt to engage in a conversation or quiz the Commissioners and are within the allotted time to speak directly to the issue that was before the Commissioner. He added the Commissioners were also required by the Sunshine Ordinance to show up most respect to the public and not interrupt them and not engage in questioning them or interrogating them and to give the public their do respect to complete their thoughts. He added there was nothing wrong with questions and clarifications but at times they intend to veer into adversarial relationship with the public and it did not speak well of the Commission. He added the rules had an order in which each permit is to be considered and motions were not suppose to be offered or consider until after public comment.

Commissioner Pred arrived at 5:35 P.M.

Commissioner Lorin stated he did not agree with Commissioner Joseph's questioning but he so no antagonism or nothing improper.

Commissioner Alan stated he supported the involvement of the community and the applicant in coming up with solutions and part of any vitalization of a neighborhood occurred in small steps and if you had a good business owner who was willing to take the risk in a neighborhood as to be oppose to not open any Billiard Parlors. He added he would hate to see San Francisco cart launched by saying every Billiard Parlor were an evil institution and shouldn't be allowed when there were children around. He added they had what seemed to be a good family behind the business and if they worked with them that would be the best thing.

Commissioner Lorin moved to continue the item to the call of the chair due to information received from Ingleside Police Station and the neighborhood Commissioner Leong second the motion

AYES - Commissioner Meko, Commission Alan, Commissioner Joseph and Commissioner Leong Commissioner Lorin and Commissioner Shlain and Commissioner Pred

NOES - None

5. EXECUTIVE DIRECTOR REPORT

Bob Davis stated they have had three task force meetings and two meetings with the venue operators and staff has met with Northern station, Captain Dudley and Officer Crisp on three separate occasion and there was definite progress. He added they were working on how to

handle youths. He added there were still some issues with lines but they have gotten better. He added the party busses were regulated by the State Public Utilities Commission it was only regulated the maintenance that was required on the bus and not the use. He added most of them are rented and they were working on a way to further regulate the use of party buses and how they engage with club owners. He added they were anticipating the ABC to get more involved. He added it was time sensitive and staff has put in a lot of time and Commissioner Joseph, Alan and President Shlain had but in a great deal of time and they will be working throughout the summer. He added they had a DUI check point that aired on Channel 2 on Friday at 10:00 P.M. and if was very effective. He added Jocelyn had been attending meetings with some of the neighborhood people and were trying something different in the south of market and the 10B's would be walking t he district.
He added they used they sheriff van that Supervisor Peskin's agreed to pay for that transport and booked all suspects.

Vajra Granelli stated over the last few weeks he has spent a lot of time in North Beach and tried to divide his time to Southern Station and South of Market. He added the issues in Southern station were similar to Central station. He added Captain O'Leary was smart in seeing the writing on the wall. He added Captain O'Leary had been helpful with his contact with Night sergeants and beat officers. He added he was trying to get an overall sense of the station by checking permits, initial site visits and sound checks. He added 4th street was an issue from Market down going to the Metreon similar to the issues on Broadway and he has been working with the area and the Commission should focus on and pay attention to the area.

Chair Shlain stated for the purpose of the meetings it would be helpful to highlight anything new and repeated things that come up and use the information to bring a venue with repeated problems before the Commission.

6. REPORT FROM THE LEGISLATIVE COMMITTEE.

Commissioner Alan stated there was nothing to report until the Legislative Committee met at their next meeting.

7. COMMISSIONER COMMENTS AND QUESTIONS.

Chair Shlain stated the Commissioners should maintain a level of decorum intra commission and working with the public. He added he was not a huge fan of pointing fingers and should be conversation between two Commissioners and did not need to happen at the meetings because of motions could be involved.

Commissioner Alan He added he had a concern that the Commission and a community of entertainment need to be wary that the dialog around the issue of entertainment did not get taken away from them and the agenda set by other departments specifically the police department and neighborhood groups. He added they had been very clear in the beginning about it and they needed use all the resources available to the Commission but did not want to see the Commission give over the power to a community that the Commission was not set up to serve. He added it did not mean the Commission did not consider or respect all of the communities but the Commission had a mission to find ways for entertainment to be a good neighbor and not to find ways to not allow entertainment. He added if they did not find ways as a community and a culture and as a city provide safe well-managed places for people to go and socialize the community and culture would implode. He added it would be the end of entertainment if they did. He added they almost had it happen with the street fair community. He added her personally spent 40 hours of his time voluntary to assist the North Beach Jazz Festival in trying to right the wrong and they still were railroaded into a deal that was not the benefit of San Francisco and not to the benefit of the North Beach Jazz Festival and it would probably be the

last time they held their event in San Francisco. He would be absent for the June 20, 2006 meeting. He added if the Commission felt it was appropriate for a venue to have a white zone it should be written into the conditioned in the permit and it was a good safety public measure and kept people from embarking and disembarking on the street. He added the training of managers and security on the long for the Commission was were they needed to go. He added the Commission should do a training that would help outline the boundaries where security personal had authority and what it meant to clear a 50 ft. radius.
Commissioner Meko stated he and Western SOMA talked extensively about the Director appearing before the Task Force to bring the people who were engaged in the rezoning process up to speed he added they had taken it quite a few steps beyond that with the task force voting to establish an arts and entertainment focus group which would be part of the ongoing planning process composed of neighbors, owners of venues, patrons who would begin to travel the neighborhood and sit through community meetings visiting the clubs. He added Commissioner Alan was head of the focus group and was sure he would be voted in as the chair. He added it was good for the planning process come out of knowledge and experience instead of ignorance and fear. He added had been in discussions with Supervisor Daily staff regarding a comprehensive look at the sound ordinance. He added the next step in the process would be the sound summit. He added the Commission to consider having a brief discussion at the next meeting to consider a resolution of support for a comprehensive review of all the aspects of the sound ordinance as currently undertaken by Supervisor Daly.

Commissioner Joseph stated June 19th was the gay flag raising in City Hall at the Mayors office with a reception on the Mayors balcony and the opening of the photo exhibit in the lobby of City Hall. She added she agreed with Commissioner Alan on the education of venue orders and had been advocating for education courses for the industry forever and had not been able to pull it off. She added it should be told in the education summit not to sign a lease without contingency on you are not going to actually get your permits and do your business. She added agreed with Commissioner Meko that Commissioners should have respect and decorum for applicants and other Commissioners. She added she would be absent for the June 20, 2006 meeting.

Commissioner Pred stated the organizers of the Fire Arts Expo wanted to relay their thanks to the Commission for their support and the assistance in the Fire Arts Expo.

Commissioner Leong stated he would be absent at the following commission meeting.

Commissioner Lorin stated he agreed with Commissioner Alan the Police Department and neighborhood groups make recommendations and they were only recommendations. He added from his acute experience the Police Department would tell the Commission one thing when they mean something else. He added it was up to the Commission to make the determination and not be swayed by special interest groups.

Commissioner Alan stated if legislation was being contemplated by one of the Commissioners it was only appropriate that the legislation be vetted with the legislative committee prior to leaving the Commission. He added any resolution on the part of the Commission by the very nature the way the Commission was set up should go through the legislative Committee.

Chair Shlain stated Commissioner Meko's request for a resolution should occur on the July 18th meeting due to Commissioner Alan's absence.

8. **DISCUSSION AND DIRECTION TO STAFF TO PLACE ITEMS ON THE AGENDA FOR FUTURE ENTERTAINMENT COMMISSION MEETINGS.**

Chair Shlain stated Studio Z. should be brought before the next Commission to update them on their soundproofing.

ADJOURNMENT. 7:00 P.M.

Respectfully submitted by Crystal Stewart.

Entertainment Commission
City and County of San Francisco

Notice and Agenda for Regular Meeting
Tuesday, June 20, 2006 at 5:00 P.M.
Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102

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MEMBERS OF THE COMMISSION

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Audrey Joseph, Vice Chair - *Industry Representative*
Terrance Alan, Commissioner - *Industry Representative*
Bowman Leong, Commissioner - *Urban Planning Representative*
Bruce Lorin, Commissioner - *Law Enforcement Representative*
Jim Meko, Commissioner - *Neighborhood Representative*
Joseph Pred, Commissioner - *Public Health Representative*

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6/20/06

CALL TO ORDER AND ROLL CALL

1. **PUBLIC COMMENT:**

   Members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission. With respect to agenda items, members of the public may address the Commission for up to three minutes at the time such item is called.

2. **REVIEW AND APPROVE MINUTES** of June 6, 2006. **[Action Item]**

3. **HEARING AND POSSIBLE ACTION** regarding applications for permits under the jurisdiction of the entertainment commission. **[Action Item]**

   a) **Lam, Robert, dba "Butterfly," Pier 33, Place of Entertainment.**

   b) **Jordan, Jeffrey, dba "Giordano Brothers," 303 Columbus Ave., Place of Entertainment.**

   c) **Vazquez, Chik, dba "Jonell's," 401 Ellis St., Mech. Amusement Device.**

ENTERTAINMENT COMMISSION
1 DR. CARLTON B. GOODLETT PLACE, ROOM 453 SAN FRANCISCO, CA. 94102
(415) 554-6678 ■ (415) 415 554-5793 ■ Fax (415) 554-7934

d) **Zhoverboff, Greg, dba "Sisters of Perpetual Indulgence/Pink Saturday," Loudspeaker permit, Castro Area, Saturday June 24, 7PM – Midnight.**

4. **REPORT FROM THE EXECUTIVE DIRECTOR**, Bob Davis Report from Sound Technician Vajra Granelli's on recent activities. **[Discussion]**

5. **REPORT FROM THE LEGISLATIVE COMMITTEE**. Terrance Alan, (Chair) Update on agenda items before the Committee. **[Discussion]**

6. **COMMISSIONER COMMENTS AND QUESTIONS.**

7. Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings. **[Action Item]**

ADJOURNMENT.

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Entertainment Commission

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June 20, 2006

ENTERTAINMENT COMMISSION

City and County of San Francisco

MINUTES OF THE

June 20, 2006
City Hall, Room 406
Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

COMMISSIONERS

Present
Jim Meko
Jordan Shlain
Bruce Lorin
Joseph Pred

STAFF

Present
Robert Davis, Executive Dir.
Jocelyn Kane and Crystal Stewart

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1. CALL TO ORDER

The Commission Chair called the meeting to order at 5:05 P.M.

ROLL CALL

Bob Davis called the Roll.

Present at the meeting were Commissioners Jim Meko, Jordan Shlain, Joseph Pred and Bruce Lorin

Absent at the time of roll call were: Terrance Alan, Audrey Joseph and Bowman Leong

Staff present was, Robert Davis, Jocelyn Kane and Crystal Stewart.

2. PUBLIC COMMENT

Public Comment

Franceschi stated he resides in San Francisco. He added Club 330 Rich had concerts starting at 10:00 P.M and going until 5:00 A. M and they were severely damaging his property. He added his tenants were complaining and he has been in contact with Southern Police station. He added the venue should be shut down and requested help from the commission.

Commissioner Meko stated Lisa Block runs the Police Community Relations for Southern Station. He added they would hold monthly community meetings over the issues of 330 Rich Street and he should contact her to attend the upcoming meetings.

Dennis Lowe stated he called on the Commission to try and change a problem club in the City called Boondock Bay. He added he was a young promoting in San Francisco that was promoting bands that were non violent.

Bob Davis stated there had been some issues with the venue and were working with the police and were trying to work on the issues.

Public comment closed.

2. REVIEW AND APPROVAL OF MINUTES OF June 6, 2006

Commissioner Meko move to approve
Commissioner Lorin second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Lorin, Commissioner Pred and Commissioner Shlain
NOES - None
ABSENT - Commissioner Leong, Commissioner Alan and Commissioner Joseph

3. HEARING AND POSSIBLE ACTION REGARDING APPLICATIONS FOR PERMITS UNDER THE JURISDICTION OF THE ENTERTAINMENT COMMISSION

a) Lam, Robert, dba "Butterfly," Pier 33, Place of Entertainment.

Jocelyn Kane stated the Butterfly was primarily a restaurant on Pier 33 and a tenant of the Port of San Francisco. She added their intention was to do parties on an irregular basis using their full capacity. She added they had a security plan for the parties. She added their intentions were not to do 18 and over. She added Captain Dudley recommendations were to approve only until midnight.

Robert Lam stated they planned to do their parties infrequently and for special events for 21 and over and open until 2:00 A.M. He added they wanted to have the option to do the special events late at night.

Public comment
No Public

Commissioner Lorin move to approve with no restrictions
Commissioner Meko second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Lorin, Commissioner Pred and Commissioner Shlain
NOES - None
ABSENT - Commissioner Leong, Commissioner Alan and Commissioner Joseph

- **Jordan, Jeffrey, dba "Giordano Brothers," 303 Columbus Ave., Place of Entertainment.**

Jocelyn Kane stated it was a 49-occupancy sandwich shop discovered by the working group in North Beach when site visits were done. She added they were minimal impact live music without a permit. She added the applicant applied for the for a Place of Entertainment permit. She added planning has permitted the use until 2:00 A.M. only. She added recommended restriction from the Captain at Central station to not approve beyond 1:00 A.M.

Jeffrey Jordan stated in addition to owning the restaurant in North Beach he and his wife had been residents for the past 12 years and they had a good 360 degree view of what went on in the neighborhood and the challenges it faced. He added he and his wife were musicians. He added they had a number of musician friends that play acoustic guitar. He added the atmosphere was very intimate sandwich shop. He added in regards to the Captain's comments they were rarely open after 1:00 A.M. He added on Monday and Tuesday they are closed at 10:00 A.M. and Wednesday and Thursday at 11:30 A.M. He added they asked on the rare occasion they would be open past 1:00 A.M. to not have the restrictions put on them in order to compete with other venues in the neighborhood.

Chair Shlain stated on the rare instant they would go until 2:00 A.M. what days would it be on a Friday or Saturday or a Tuesday or Monday?

Jeffrey Jordan stated it would be on a Friday, Saturday and possibly a Thursday.

Commissioner Pred stated did they ever allow other musicians to bring in their own equipment? He added given his experience what was the largest that he seen come in?

Jeffrey Jordan stated that he allowed outside musicians to bring in their own equipment. He added if they were a good musician they would not play loud.

Jocleyn Kane stated the applicant passed their sound test and they would have to abide by the sound ordinance.

Commissioner Lorin stated if there was a problem with sound then they would have to have a restrictor and Vajra would get involved and it would limit them. He added he applauded the applicants the neighborhood and neighborhood they lived in 45 years ago was known for that type of entertainment, which drew people

there.

Public comment
No public comment

Commissioner Meko moved to approve without added conditions Commissioner Pred second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Lorin, Commissioner Pred and Commissioner Shlain
NOES - None
ABSENT - Commissioner Leong, Commissioner Alan and Commissioner Joseph

- **Vazquez, Chik, dba "Jonell's," 401 Ellis St., Mech. Amusement Device.**

Jocelyn Kane stated the applicants came in at the end of May to legalize a video game that was put in place but not turned on. She added there was no entertainment at the location and Planning has indicated there was no restriction and it was an allowable use. She added Southern station had no restrictions, she added in her error the applicant was suppose be on calendar two weeks ago and that was why they were not present at the meeting and she would speak in their behalf.

Public comment
No public comment

Commissioner Lorin moved to approve without added conditions Commissioner Pred second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Lorin, Commissioner Pred and Commissioner Shlain
NOES - None
ABSENT - Commissioner Leong, Commissioner Alan and Commissioner Joseph

d) Zhoverboff, Greg, dba "Sisters of Perpetual Indulgence/Pink Saturday," Loudspeaker permit, Castro Area, Saturday June 24, 7PM - Midnight

Jocelyn Kane stated it was the Pride week celebration in the Castro that occurred every year and the Sisters of Perpetual Indulgence routinely come and ask for two-hour extension to their loud speaker to amplify sound at four locations in the Castro. She added Mission station recommended approval and music had ended at midnight promptly. She added Vajra Granelli would be around to monitor.

Greg Zhoverboff stated this year they would ask the DJ's to start winding down the music at 11:30 P.M. as an easier way to get people out after the event was over.

Commissioner Meko stated last year there was a lack of communication between the people putting on the event and the neighbors and had there been any outreach and communication with the neighbors this year.

Greg Zhoverboff stated he was not aware if there was any communication at this point.

Commissioner Lorin stated the conditions stated the loud speaker could not be heard from the crowd over 250 feet.

Greg Zhoverboff stated he would be monitoring the speakers the day of the event.

Public comment

John Wood with the SFLNC stated he had been involved with Pink Saturday for the past five years. He addec it was two years ago that the neighbor had issues and his stage was moved to face down the hill on Castro anc the neighbors on 18th Street were not bothered last year from his knowledge and sound issues were always dealt with on site.

Public comment closed.

Commissioner Lorin moved to approve
Commissioners Pred second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Lorin, Commissioner Pred and Commissioner Shlain
NOES - None
ABSENT - Commissioner Leong, Commissioner Alan and Commissioner Joseph

4. EXECUTIVE DIRECTOR REPORT

Bob Davis stated he was out ill last week. He added the Mayor's office is conducting a task force on violence and they had been monitoring the work the Commission had been doing in North Beach and were pleased. He added the Commission was going through with the Budget and there was one more review with the Boarc of Supervisors and they would be done and the budget would be passed.

Vajra Granelli stated the 12 Galaxies case has been closed, and there was a sound-limiting test done last week and all parties involved seemed to be happy. He added Moby Dick had a sound test done to confirm a complaint and logged and he was looking into it. He added he has opened a case on 330 Rich and would hit the venue once a week to get an overall picture of what was going on there. He added Studio Z continued tc be a problem and they should come before the Commission as well as the Zebra Lounge. He added Sake Lab had big sound problems and he has opened a case for them and has been working with the owners about improving their sound situation. He added Suede also should be called into the Commission. He added the he was looking into permits for food vendors and liquor stores on Broadway with after hour's permits and what there overall impact was on the situation.

Bob Davis stated they were working with the Planning Commission on the food services vendors that are Broadway all the permits for after hours were issued prior to the establishment of the Entertainment Commission and presented problems and they were working with them around the issues of handing their crowds. He added Studio Z, Zebra Lounge and Suede would be brought before the Commission. He addec they have been working with them and have not been successful.

Chair Shlain asked if citations had been giving to the clubs

Vajra Granelli stated Zebra Lounge had been sited twice for sound in the last two months and Suede had beer sited once.

Commissioner Lorin stated prior to Vajra coming on board the Commission relied on the Police Department for police reports and citations. He added now that the Commission had their own sound technician they could go on his statements alone and not rely on the Police Department.

Bob Davis stated with the City Attorney's approval they would be brining them forward to issues conditions upon which if they violate the conditions then the Commission could hold a faster hearing. He added it woulc help the Commission in a suspension process to have convened a hearing first.

Bob Davis stated it would be better to have all commissioners present.

Chair Shlain stated regardless they should be brought in since they continue to flout the laws, the permit the

recommendations.

Commissioner Lorin stated he opposed the clarification hearings and in his opinion if they were violating the law they should be coming before the Commission for a suspension hearing.

Commissioner Meko stated there were two instances with south of market clubs were complainants were not inclined to call the police and they did not have a long history of citations. He added in one case it involved a residential hotel. He added they were not inclined to bring in the police and felt it was neighborly. He added the Commission had been engaged in conversations and clarifications with the entities forever. He added he agreed with Commission Lorin that the next hearing with Studio Z should be on a possible suspension because the Commission had a caseload that went back three years.

Commissioner Pred stated it was a wise for the Commission to have clarification hearings in general because it gave them the opportunity under a formal setting communicate and put them on notice. He added in the case were the Commission had substantial evidence and there has been conversations and years later there has been attempts to resolve the issue then moving towards a suspension hearing was one of the few things the Commission could do to get their attention and agreed with his fellow Commissioners in that regard.

5. REPORT FROM THE LEGISLATIVE COMMITTEE.

Nothing to report.

Public Comment Reopened

Chris Cogglen stated he was resided at 472 Flood Avenue and was the president of the Sunny Side Neighborhood Association and a member of task force the Utility Underground for the city. He added there was a permit conflict and problem the Police seemed to have with club Boon Dock Bay. He added he could not speak to the Boon Dock issues but could speak to the event. He added the event would be tremendous with a lot of good people and one of the greatest bands in the country. He added seeing that it was Pride weekend and if they shut their doors and everyone left at 2:00 A.M. there would not be enough cabs to get people home at 2:00 A.M. He added as a public safety issues it was better that the event ran late because there would be more cabs available for the public and the Commission should give some thought.

6. COMMISSIONER COMMENTS AND QUESTIONS.

Commissioner Lorin stated in an overall view of the Commission they were extremely liberal. He added he agreed with the majority of the most cases. He added occasionally when the Commission came across an establishment that had a permit and they played hardball it was time to play back. He added he did not like to have citizens to come in front of the Commission time and time again complaining about the same establishment.

Chair Shlain stated there should be two types of meetings the Commission had with the venue the suspension revocation hearing and a clarification hearing and there was a place for both. He added Studio Z should come in for Suspension Hearing because they have been flaunting it for three years. He added Suede and Zebra Lounge should come in for a clarification hearing. He added the hearing was on July 18, 2006 and the Commission may need to convene a hearing in a shorter time frame and staff and the Commission should work together oh how to mechanically do that.

Bob Davis stated through the direction of the Chair they would work with the City Attorney and Code Enforcement to prepare an evidentiary case.

Chair Shlain the clarification hearing could happen whenever they wanted to.

Commissioner Pred stated given the temporary lack of an Executive Committee he would like to work with staff on adding the EMS plan requirements into the permit process and then present it to the full Commission.

7. **DISCUSSION AND DIRECTION TO STAFF TO PLACE ITEMS ON THE AGENDA FOR FUTURE ENTERTAINMENT COMMISSION MEETINGS.**

Commissioner Pred stated he would like to add the EMS plan requirement to the agenda.

Chair Shlain stated he wanted to be clear there would be a clarification hearing for Zebra Lounge and Suede. He added they could do the evidentiary case and Suspension on Studio Z when they could start the process.

ADJOURNMENT. 6:02 P.M.

Respectfully submitted by Crystal Stewart.

Entertainment Commission
City and County of San Francisco

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Notice of Cancelled Meeting

For the Entertainment Commission

Meeting on Tuesday, July 4, 2006

City Hall, Room 406 at 4:00 P.M

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Entertainment Commission
City and County of San Francisco

Notice and Agenda for Regular Meeting
Tuesday, July 18, 2006 at 5:00 P.M.
Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102

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MEMBERS OF THE COMMISSION

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Audrey Joseph, Vice Chair - *Industry Representative*
Terrance Alan, Commissioner - *Industry Representative*
Bowman Leong, Commissioner - *Urban Planning Representative*
Bruce Lorin, Commissioner - *Law Enforcement Representative*
Jim Meko, Commissioner - *Neighborhood Representative*
Joseph Pred, Commissioner - *Public Health Representative*

CALL TO ORDER AND ROLL CALL

1. PUBLIC COMMENT:

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2. **REVIEW AND APPROVE MINUTES** of June 20, 2006. **[Action Item]**

3. Discussion regarding permit holder dba Zebra Lounge, 447 Broadway Street, regarding neighborhood complaints and noise levels. **[Discussion]**

4. **HEARING AND POSSIBLE ACTION** regarding applications for permits under the jurisdiction of the entertainment commission. **[Action Item]**

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CONSENT CALENDAR

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Consent Calendar:

Sin, Teresa, MDT Solutions Inc., *dba* Cinnabar, 397 Ellis Street, Billiard Parlor/Mechanical Amusement Device.

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a) **Cole, Justin, Retox Lounge LLC, *dba* Retox Lounge, 628 20th Street, Place of Entertainment.**

b) **Schelsinger, Annie, *dba* San Francisco Fashion Week, Loudspeaker Permit for 25 Maiden Lane on Saturday July 29, 2006, 7PM - 11PM.**

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d) **Dudum, Rick, Joe DiMaggio's Restaurant Inc., *dba* Joe DiMaggio's Italian Chop House, 601 Union Street, Place of Entertainment.**

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Entertainment Commission
City and County of San Francisco

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City and County of San Francisco
Entertainment Commission

July 18, 2006

ENTERTAINMENT COMMISSION
City and County of San Francisco

MINUTES OF THE

July 18, 2006
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COMMISSIONERS

Present
Jim Meko
Joseph Pred
Terrance Alan
Audrey Joseph

STAFF

Present
Robert Davis, Executive Dir.
Jocelyn Kane and Crystal Stewart

1. CALL TO ORDER

The Commission Chair called the meeting to order at 5:12 P.M.

ROLL CALL

Bob Davis called the Roll.

Present at the meeting were Commissioners Jim Meko, Terrance Alan, Audrey Joseph and Joseph Pred.

Absent at the time of roll call were: Bruce Lorin, Bowman Leong and Jordan Shlain.

Staff present was, Robert Davis, Jocelyn Kane and Crystal Stewart.

2. PUBLIC COMMENT

No public comment.

2. REVIEW AND APPROVAL OF MINUTES OF JUNE 20, 2006

Public Comment
No public comment.

Commissioner Alan move to continue the June 20, 2006 minutes to the next regularly scheduled Commission meeting
Commissioner Meko second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Joseph, Commissioner Pred and Commissioner Alan
NOES - None
ABSENT - Commissioner Leong, Commissioner Shlain and Commissioner Lorin

3. DISCUSSION REGARDING PERMIT HOLDER DBA ZEBRA LOUNGE, 447 BROADWAY STREET, REGARDING NEIGHBORHOOD COMPLAINTS AND NOISE LEVELS.

Bob Davis stated at the last commission meeting the commission requested that Studio Z. and Suede come in to determine an establish if their were specific problems and give the Commission a better understanding of what was going on and for the Commission to speak to the club in person. He added owner of Suede was traveling and would be on the next agenda. He added over the past several months they were working with Central Police station and the club owners on trying to bring North Beach and Broadway into a reasonable and orderly area that was inviting to the general public.

Jocelyn Kane stated Entertainment Commission permitted Zebra Lounge in 2004. She added the capacity was one of the larger clubs on Broadway. She added during the time that the North Beach Task Force had been meeting with the club owners they identified specific problems in terms of security, club management and line issues and shut down. She added as well as hearing complaints from neighbors as well as the police department and other club owners. She added having discussions with the club owner and using the resources of another seasoned club owner Steven Lee of the Glas Kat would help and guide him.

Vajra Granelli Stated the most recent report he had on the Zebra Lounge was July 8th and dating

back to March 2, 2006. He added the reports were with himself, Fire Marshall's or Office Fred Crisp. He added the recurring theme was concurrent with what Jocelyn stated.

Vice Chair Joseph asked had his close down procedures changed since meeting with Steven Lee of the Glas Kat.

Vajra Granelli stated there were nights were he saw improvement in closing and keeping the crowd moving and other nights there was no change.

Bob Davis stated the different promoters made a difference in terms the way the crowd was willing to disburse. He added due to the location it was imperative that there be smooth closings on a regular basis.

Vice Chair Joseph stated the venue owner was responsible for what went on at their venue. She added did Officer see a problem at the Zebra Lounge.

Officer Fred Crisp stated the Zebra Lounge was a very large premise next to other venues with large capacities and if the venues were at max when the clubs let out it would push 1,000 people on the block. He added it was Mr. Lee's first nightclub and he was on the job training and learning. He added the venues that did not bring in outside promoters had the least amount of trouble. He added Zebra Lounge had new people every week and people come down to Broadway to follow the promoters. He added he appreciated the Entertainment Commission having this forum to look at the problems.

Vice Chair Joseph asked if Mr. Lee had hired a manager with nightclub experience since it was his first club.

Isaac Lee stated it was his first nightclub and he hired two managers since he first opened and none of them worked out.

Vice Chair Joseph stated in order to be successful in anything he tired and in any club he had to be consistent. She added if his security staff disbursed patrons on one night and did not do it another night it did not work for the venue and the patrons would take advantage of his staff if there were not a good solid door policy.

Commissioner Alan stated the formula of exiting everyone and demanding they leave the neighborhood in an orderly fashion after they have been out having a good time was problematic. He added he had been a proponent for a discussion that select venues in the North Beach area be required to be open one hour pass the last call for alcohol to stager the people as they leave the venue. He added patrons were able to get safely in a venue because they came over a period of one or two hours but they all leave at the exact same time. He added the Commission needed to integrate a solution and the City had to offer some assistance as well.
Vice Chair Joseph stated Mr. Lee needed to be present outside to encourage his security staff to disburse people it may be helpful.

Isaac Lee stated they were having an earlier cooling down period.

Commissioner Meko asked were there sound issues at the venue and were their measurements taken.

Vajra Granelli stated he took measurements and they had been sited once in the past. He added it was inconsistent and there needed to be better sound control through the front door. He added it Broadway had a loitering issue that contributed to the problem that was shared by all clubs.

Commissioner Meko asked with various promoters coming through did it create a problem sporadically with the sound levels and what was his recommendation to control it.

Vajra Granelli stated it could create a problem and it was the venues responsibility to control the sound.

Commissioner Meko asked if Mr. Lee had control of the sound system.

Mr. Lee stated the DJ had control of the sound but they would inform them to keep it at a reasonable level. He added ever since the citation they had kept it at the recommended level. He added they were constantly monitoring the sound.

Vice Chair Joseph stated he needed to put a cage in front of their limiter and lock it. She added a screw should be applied to the mixer so that it could not be raised above a certain level of any kind of music and then he would be in control.

Commissioner Alan agreed with Commissioners Josephs comments. He added if Mr. Lee locked down his sound system there would be no possible way he would violate the sound ordinance and would be one less thing for him to worry about. He added the second would be his door and front policy and should lock it down with the same person who received specific training about how to deal with line control and who was consistently at his door at arrival and departure at all times that would create consistency.

Vice Chair Joseph stated she understood that promoters could put a lot of pressure on the music not being loud enough, however it was his business and the most valuable thing he had was his licenses and permits because they allowed him to operate and make money. He added he would have to stand his ground and take control of his business or he would before the Commission on suspension hearing and then he would not have a business to run. She added the Commission did not want to see that happen and wanted to see him take control and be a good citizen in the entertainment community.

Public Comment

Sam Young stated he owned the Dragon Bar and he use to own the Bamboo Hut and seven clubs in the past 12 years. He added Mr. Lee was his neighbor and he did not have anything against him, however he thought the problem was he worked with promoters from Wild 94.9 and the crowd they attracted was 14 to 35 years old would show up on Broadway because they heard it on the radio. He added another problem was bulk adverting for anyone who could read it and see it. He added it had nothing to do with the crowd being let out at the same time but the crowd they attracted and if they couldn't get in the clubs they were going to hang out and cause problems. He added he wanted to see him succeed but in the same sense he did not want to see the block shut down and a police state and people were afraid to come down there.

Commissioner Alan stated he attended many of the meetings that occurred in North Beach and one of the things he did not seen that he thought could be beneficial to everyone is if the North Beach entertainment community, business owners, mangers were to form an informal cooperative group to come to each others assistance and education for the betterment of the street. He if left to a bureaucracy, the street would become a police state because the violence can't continue and the public safety issues had to be addressed they would clamp down and that would serve no one. He added he knew nothing better than peer pressure. It works on teenagers and adults and it would work on club owners and managers and security people. He added they should get together and without the Entertainment Commission there. He added if they were going evolve the cities hospitality industry the entertainment community had to grow up a little and help each other and provide assistance to one another.

Al Russik with Enrico's stated when he set policies and procedures for his own restaurant everyone hung back until the idiot put their foot over the line. He added people have been stepping over the line but nothing would happen with respect to the clubs until someone liquor

license or permit gets revoked or a club gets closed and everyone else in the neighborhood would know the Commission really meant it. He added they had several different organizations encouraged any new businesses to be a part of the North Beach Association and they were an excellent resource.

Vice Chair Joseph stated because the Commission was not a police state they had to follow due process. She added there was a process for every business and there had to be a certain amount of complaints and citations given and then there was an action brought. She added they were brought before the Commission today and if it did not stop the City attorney would issue more citations and would bring an action against them.

Commissioner Meko asked staff to quantify the complaints that had been building up over a period of time from the public and the police time and how close they were to recommend to the Commission to hold a suspension hearing of the permits.

Bob Davis stated the complaints had been general in nature and the documentation of the complaints started in March when they started the task force. He added they sought council from the city attorney to determine at what point there was sufficient evidence to begin a further process. He added staff would be tracking closing in conjunction with the City attorney and code enforcement and the police department to determine at what point they would proceed. He added today set the stage to establish a clear warning that a hearing for the purpose of suspension was in the offing if there wasn't improvement.

4. HEARING AND POSSIBLE ACTION REGARDING APPLICATIONS FOR PERMITS UNDER THE JURISDICTION OF THE ENTERTAINMENT COMMISSION

CONSENT CALENDAR

All matters listed hereunder constitute a consent agenda, are considered to be routine by the Entertainment Commission and will be acted upon by a single vote of the commission. There will be no separate discussion of these items unless a member of the commission or the public so requests, in which event the matter shall be removed from the consent agenda and considered as a separate item.

Jocelyn Kane stated the applicant applied for the permits in late June, one pool table two video games. She added the police department has no problems and recommended approval. She added the applicant had one electrical inspection and was expecting to pass on her second and staff recommended conditional grant of the permit.

Sin, Teresa, MDT Solutions Inc., *dba* Cinnabar, 397 Ellis Street, Billiard Parlor/Mechanical Amusement Device.

Public Comment

No public comment.

Commissioner Alan move to approve
Commissioner Meko second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Joseph, Commissioner Pred and Commissioner Alan
NOES - None
ABSENT - Commissioner Leong, Commissioner Shlain and Commissioner Lorin

Regular Permits

a) Cole, Justin, Retox Lounge LLC, *dba* Retox Lounge, 628 20th Street, Place of Entertainment.

Jocelyn Kane stated the applicant applied for the permit on June 9, 2006 to provide entertainment in a 49 capacity bar on the third street corridor. She added the attention is to operate from 4:00 P.M. to 2:00 A.M. She added Planning indicated it was a permitted use without limits of the hours of operation and Bayview Police station recommended approval with 15 specific conditions. She added staff recommends conditional approval.

Michael Burgess stated he read over the conditions and they seemed reasonable and he met with the Dog Patch Association and informed them of their plan.

Vice Chair Joseph stated his occupancy was 49 and how was going to keep it at that level.

Commissioner Alan stated he had concerns writing a particular officer's name into a permit condition because the permit would live past the officer's position. He added his recommendation would be to make them more generic so they would apply ten years from now. He added it was wise to have a clause in his agreement that when people used his venue that he had final authority to approve or disapprove any advertising.

Michael Burgess stated it was a small venue and they would be able to monitor the capacity.

Commissioner Pred stated he had concerns with condition number 7 that required them to adopt any recommendations made by officer George. He added it should be modified.

Public Comment
No public comment.

Commissioner Meko move to approve incorporating the conditions recommended by the Police Department with moderations by Commissioner Alan and Commissioner Pred Commissioner Pred second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Joseph, Commissioner Pred and Commissioner Alan
NOES - None
ABSENT - Commissioner Leong, Commissioner Shlain Commissioner Lorin

b) Schelsinger, Annie, *dba* San Francisco Fashion Week, Loudspeaker Permit for 25 Maiden Lane on Saturday July 29, 2006, 7:00PM - 11PM.

Jocelyn Kane stated the applicant applied for a loudspeaker permit to have a DJ and a jazz trio during outdoors for pre-party Fashion Week. She added they had a street closure to close down one block of Maiden Lane. She added she had a letter of support form the Maiden Lane Association supporting the street closure and the event for Fashion Week. She added Central Station Police Department returned the recommendation with the indication they would not approve it until approved by the ABC.

Vice Chair Joseph stated the ABC approval did not have anything to do with the Commission permitting the Loud Speaker and it was an irrelevant issue whether they served alcohol or not.

Annie Schelsinger stated she was the event coordinator for San Francisco Fashion Week, which was in their third year in San Francisco, a four day long event that took place at the Palace of Fine Arts. She added they were doing a pre-party before the event to get people excited for Fashion Week and spread the word. She added it was a benefit for their beneficiary the National Aids Grove Memorial Foundation. She added they made arrangements for one off Sgt. and four off duty police officers. She added they also hired four personal security people from a private company. She added they were expecting 400 people in attendance and there would be food and beverage.

Vice Chair Joseph asked the applicant who suggested the Sergeant and four 10B officers.

Annie Schelsinger stated Central station suggested it.

Commissioner Alan stated Commission did not set the police staffing levels and did not have any authority over them. He added it was outside of the Commission's jurisdiction.

Public comment
No public comment

Commissioner Alan move to approve
Commissioners Pred second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Joseph, Commissioner Pred and Commissioner Alan
NOES - None
ABSENT - Commissioner Leong, Commissioner Shlain
Commissioner Lorin

c) Karas, George, Brunos Management LP, *dba* Bruno's, 2389 Mission Street, Place of Entertainment.

Jocelyn Kane stated Bruno's was originally open in 1938 and would reopen as a nightclub and lounge and restaurant. She added the entertainment plan would include live entertainment and DJ's. She added the applicant owned and operated Harry's Bar in San Francisco. She added the Planning Department indicated it was a permitted use without restrictions on the hours of operation on both the second and third floors. She added the applicant's intention was to use both first and second floors. She added Mission Police station recommended approval attaching the Entertainment Commission's Good Neighbor Policy as their only condition. She added staff recommends approval.

Rick Howard stated he was a co-owner of Bruno's with George Karas. He added they would start off operating five days a week and planned to do vary the entertainment three days a week depending on how it went. He added they would start with jazz and some of the acts that had been there in the past.

Vice Chair Joseph stated the whole era of nightclub; restaurant lounge needed to be reborn and was a glamorous era.

Commissioner Alan stated was the current owner aware of the issues around the sound and the sound transmission into the SRO that was directly above the lounge portion and was it in his control.

Rick Howard stated they addressed it by putting in a sound barrier on the ceiling he added if there were other things they needed to do they would take care of it.

Commissioner Meko stated the applicant should work with Vajra Granelli closely from the resident's perspective as well as the club's perspective.

Public Comment
No public comment.

Commissioner Alan move to conditionally grant the permit Commissioner Meko second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Joseph, Commissioner Pred and Commissioner Alan
NOES - None

ABSENT - Commissioner Leong, Commissioner Shlain Commissioner Lorin

d) Dudum, Rick, Joe DiMaggio's Restaurant Inc., *dba* Joe DiMaggio's Italian Chop House, 601 Union Street, Place of Entertainment.

Jocelyn Kane stated it was a place of entertainment permit and the entertainment would consist of piano and based live crooners. She added Central Police station has recommended approval until 2:00 A.M. She added Planning indicated they require conditional use authorization at the location. She added the confusion was the applicant believed they already received a CU but could not produce the paper work so that she could get a revision from the Planning Department. She added they are in the process of locating the planner and finding the file number. She added the item should be tabled for two weeks until the issue was resolved.

Public Comment
No public comment

Commissioner Meko move to continue the item to the next Commission meeting Commissioner Alan second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Joseph, Commissioner Pred and Commissioner Alan
NOES - None
ABSENT - Commissioner Leong, Commissioner Shlain Commissioner Lorin

e) Mahfouz, Toufic, *dba* Byblos Bar and Grill, 270 Columbus Ave, Place of Entertainment/Extended Hours Premises.

Jocelyn Kane stated it was the location of the previously well-known VXN at 270 Columbus and the applicant had applied for both a place of entertainment and extended hours permit to operate as a full service restaurant and lounge and provide entertainment in the form of DJ's live music and belly dancing. She added Central Police station had not replied with their recommendation at the time and Planning had indicated it was a permitted use until 2:00 A.M. She added staff recommends a conditional grant of the place of entertainment permit only.

Mark Rennie stated he was representing Mr., Toufic Mahfouz. He added it was an application for both a Place of Entertainment and extended hours premises permit. He added on the on August 4, 2004 they were granted a conditional grant with the approval of Planning on both permits. He added when they went back to apply Planning indicated they made a mistake. He added his client was willing to withdraw his application for extended hours premises. He added the neighborhood had a lot of issues and to take it right now before the City Planning Commission it would be problematic and difficult. He added he previously handed out a packet to the Commissioner's that discussed the concept of the venue. He added his client was a legitimate businessman and successful musician and wanted to turn it back into a nice venue and revitalize the Broadway and Columbus corridor and wished the Commission would give his client a conditional grant.

Vice Chair Joseph stated she was in front of the applicant's building the first night he was there. She added there was a problem with the windows shaking obsessively from the music and the doors were open and sound was leaking out of the front door and she asked the police for them to close the front door of the building, which he did. She added she had concerns about the sound issues and how intended to address the windows and whether or not he would put a double door at the front to contain the sound or would there be a acoustical curtain.

Toufic Mahfouz stated when she came to the venue he was not in the place in a legal capacity and not the owner. He added there was confusion on him facilitating the operation for them. He had been fined, harassed and broken into three times. He added they remolded the place three times and they would have a nice cuisine. He added he withdrew the extended hours application

because he did not want any problems with the police. He added the doors would be closed and a special seal for the sound proof.

Vice Chair Joseph asked what type of music would he play at his venue? She added she had concerns about the windows and what were his plans to fix it.

Toufic Mahfouz stated they would have DJ's recorded music and would not play the music that loud and did not think the windows would shake. He added he would not have an operation to what the previous venue was.

Commissioner Meko asked would he agree to have it written into the permit to have a locked sound limiter put on his sound system that will be set by the Commission's sound technician.

Toufic Mahfouz stated with all due respect until he has his business in place the Commission should give people a chance to be law-biding operators. He added he would agree to what ever the law said.

Commissioner Pred stated on page 3, he did not answer the question of whether or not his venue would provide adult entertainment and what was his answer.

Toufic Mahfouz stated he would not have adult entertainment.

Commissioner Alan stated would anyone under the age of 21 remain on the premise is permitted on the premises after 10:00 P.M.

Public comment

Officer Crisp stated there was no police recommendation because he did not send one down. He added he and the Captain were going over it and around it and they have been dealing with Mark Rennie and Mr. Mahfounz and they finally came to an understanding regarding the place of entertainment permit. He added the extensive file on 270 Columbus had nothing to do with Mr. Mahfouz. He added it terms of his job to look at the code and make recommendations was one thing. He added he made it clear to Mr. Rennie and Mr. Mahfouz they would be held to the letter of the law. He added they had conditions that needed to be adhered on the place of entertainment and there were conditions on the ABC license. He added what happen previously at the venue location prior to him could not happen again. He added he had every assurance from Mr. Mahfouz that it would not.

Vice Chair Joseph stated the Commission wanted to support his business plan and wanted to see the city enlivened by really good businesses that provided good food reasonable drinks and wonderful entertainment. She added she building itself had sound issues no matter who owned it, which is why she made her statements. She added the Commission did not prejudge people who have not operated a business yet. She added it was the Commission's job to represent the city and the neighbors and everyone else and to ask him questions on how they run their business.

Jocelyn Kane read the recommendations from Central Police station. *Central station recommends midnight closure, Sunday through Wednesday, 2:00 A.M. Thursday to Saturday. No extended hours permit beyond 2:00 A.M .per applicant, applicant must comply wit Sec. 1060.5*

Commissioner Pred stated in the past the Commission had not held a standard to an applicant that had not had the opportunity to operate yet. He added the applicant should be given the opportunity to operate within the limits of his permit and show that he is a good businessperson.

Bob Davis stated in speaking with the applicant there was a strong willingness to work with Vajra and make the requisite adjustment to make sure there was no leakage.

Public Comment
No public comment.

Commissioner Alan move to approve allow the operator to operate within the boundaries of the law until 2:00 A.M.

Motion fails to come to the floor for a lack of a second.

Commissioner Meko stated he would to grant the permit taking into the account the conditions recommend by Central Police station.

Motion fails to come to the floor for a lack of a second.

Public comment
No public comment.

Commissioner Meko moved to continue the item to the next meeting Commissioner Pred second the motion

VOTE:
AYES - Commissioner Meko, Commissioner Joseph, Commissioner Pred and Commissioner Alan
NOES - None
ABSENT - Commissioner Leong, Commissioner Shlain Commissioner Lorin

4. EXECUTIVE DIRECTOR REPORT

Bob Davis stated the North Beach Task Force has continued to meet. He added they continue to have the sheriff's van for any bookings and arrest on North Beach, which has been very successful. He added they would be having additional assistance with 10B's in north point as well as sobriety checkpoints at the base of North Beach every other weekend. He added there have been meetings with the venue owners and he feels there has been improvement in North Beach. He added they are working on the issues of youth loitering and creating some issues in North Beach. He added it was an ongoing process. He added the party buses are still problematic and are not regulated by the state other than maintenance purposes and registration and they are continuing to investigate the matter.

He added SOMA, which had been working pretty well, was now receiving some of the problems that have occurred due to the push in North Beach. He added Jocelyn and Vajra attended a meeting that was held in the south area primarily for 11th street and they have organized the venues owners to hire 10B's. He added 4th street had a shooting in 5th and Mission garage and the victim did not die and were potentially coming from Jillian's and they have been in discussion with Jillian's and the 5th an Mission garage and the people from Yerba Buena Gardens and surrounding areas. He added there was a meeting to with the police today to talk about the specific problems of 4th Street. He added there has been an on-going issue involving 12 Galaxies and they were sited last week and there were people present involved in issuing the citation as well as well as 12 Galaxies. He added in speaking with the City Attorney they were entitled to state what their standing of the issues were.

Vajra Granelli stated they were seeing an increase in some of the issues from Broadway on 4th Street. He added Jillian's was in the initial stages of checking sound and their operational procedures to see what they were dealing with. He added Sake Lab had a big sound problem after his two visits of the venue he explained the owner his readings and findings and since then there has been no improvement and suggested and recommended they should be addressed by the Commission. He added Suede was another venue with a continuing problem of sound and they should be addressed. He added he was working on 4th street with staff and a lot of the

surrounding hotels to get a perspective and was in contact with a lot of private security in the area. He added the issues were similar to the issues on Broadway.

Public Comment

Barry Taranto stated he was pleased with the director's report and felt it was accurate. He added Jillian's was added more Hip Hop shows and their permits should be looked at as well as LJ's and their security plans should be discussed. He added 11th Street was not active all the time and was surprise about Studio Z. and hoped the Commission was careful on how they handled it. He added Commission should try to work with 330 Ritch because it was a good club for 18 and over.

Officer Crisp stated he agreed with Commissioner Alan's comments about the venue owners on Broadway because he had been trying to get the venue owners to get together and they would not do it. He added when all you had was a hammer everything looked like nail. He added the police department was the hammer and all the problems on Broadway were not nails. He added he spoke to the liaison of the Board of Supervisors, the Mayor's Office and the Chief and deputy Chief Shinn Commander Tacchini and Captain Dudley and he and Vajra have had Supervisor Peskin on ride alongs to see what was going on Broadway specifically. He added the party buses were a good example for the fact no one had relationships to the clubs, which constant outsiders who got to cut the line run into the club for two drinks jump back on the bus and get out which was part of the problem. He added the Commission should talk to the City Attorney about making it a condition on the permits. He added Mr. Lee had metal detectors and was padding down and metal detecting his crowd and if he had to do that he lost it already and was the only guy doing that on Broadway. He added the big picture on Broadway was it was a multi facet problem and had to come from the Mayor's office. He added the problem was the youth on Broadway that were too young to get into the clubs and were down there for confrontation and to get into trouble. He added there needed to be a more centralize plan.

Vice Chair Joseph stated they could not demonize the clubs for the 14 and 15 year olds that were coming down in gangs and mugging someone. He added they have brought the clubs in had meetings and asked them to man their doors and so far they had done a good job.

Commissioner Alan asked how it made any sense for the Commission to accept a restriction on someone's operating hours when the restriction did not exist on the worst days of the weeks and it did exist on the best days of the week. He added it seemed to be backwards and he could not support it. He added how hey could respond to that recommendation.

Officer Crisp stated Captain Dudley could best answer the question because it would not be proper for him to explain his criteria for making the decision.

Vice Chair Joseph asked did Officer Crisp have a solution.

Officer Crisp stated to bring more heads in on it would help and perhaps a physiologist. He added they were kids that did not have a lot of money but a lot of time and Broadway was an attraction to them. He added in the big scheme of things he did not have an answer and it was not a matter of arresting everybody. He added the kids were very volatile and their future was not as bright as ours where and they will go out and get into fights with each other because they were very sad and they can't say they are sad because their present and future was not too hot and could manifest anger and they do it on each other. He added he didn't know what to do but perhaps two or three people did starting with the Mayor's office, Business Community Development or Juvenile Justice.

John Wood stated he did not have the answer and he was glad the Commission reminded everyone because the tendency was to stigmatism clubs for the behavior of the kids that were angry. He added they were not seeing the vicious cycle in it because Officer Crisp's Captain

recommends not having clubs and particular opposing any club that wanted to do events for any one under the age of 21. He added if they had no place to go they will be on the street. He added the Mayor's did have to be involved and that's why the Commission existed. He added the larger solution provide them of somewhere to go and not limit places where they all had to be 21 and over. He added if the police could not stop them how could the club owner stop them.

Mark Rennie stated what he saw on Broadway was a very dangerous downward spiral. He added he had a client that owned the building at 450 Broadway and has been trying to open for a while. He added he shook his head because he saw he would have problems and saw that Mr. Mahfounz would have problems. He added the problem was people did not want to go to Broadway because of the kid hanging our and problems with no parking. He added in order to survive they start doing Hip Hop events, which brought in a worse crowd and it was and spirals down. He added the solution was if someone had a fairly deep pocket and wanted to open a nice restaurant like Mr. Mahfounz and if they start restricting him had it passed but four out of seven nights of the 4th of July and New Years Eve he would have to be closed. He added New Years Eve to any bar owner was about 30% of their December revenue, which was a huge hit. He added the city needed a place where tourist could come and eat and feel safe. He added the kids had nowhere to go.

Vajra Granelli stated his experience from the venue from June back to January and February was the club had been slowly trying to bring themselves up to compliance as far as sound and their had been improvements over that time.

Vice Chair Joseph asked was all their sound proofing of their skylight and ceiling complete.

Vajra Granelli stated their the sky light sound proofing and the sound walls behind the stage were completed. He added the door to the back hallway was completed to limit sound. He added the greenroom soundproofing had been completed. He added the only other issues that needed to be resolved were the bouncing of sound from the building next door. He added there was a concrete hallway between them and the building next door and there was some sound bleed through their kitchen into the empty space.

Commissioner Meko asked had Vajra taken any decibel readings inside the club and what was the decibel level.

Vajra stated he had and the decibel level was primarily recorded ranged 94 to 104. He added it was primarily a live venue and could travel and was harder to manage. He added their resolution to soundproof the skylight was smart and it worked and dropped the sound levels.

Commissioner Meko asked what were the readings from the neighbor's residents.

Vajra Granelli stated the sound readings from the resident were at 44.3. He added he did not have in documentation of sound readings of 50 or 60 in the residents. He added the sound was faint but you could hear it.

Public Comment

Scott Dudley stated the residents of 662 Capp Street have not heard anything from the club since early to mid May 2006. He added he made calls to the club on 5/20, 5/24, 5/25, and 5/31 and 6/9 through 6/11 and 6/16. He added at that point he gave up at that point and called the police when they had disturbances. He added the club would probably talk about their sound proofing which was great but it also had been 19 months and turned into what seemed to be a perpetual sound proofing project. He added the only issue they had was section code 49, which was the sound, should not be audible 50 feet away from the property line. He added they would like the club to turn it down and do a good job of maintaining the level. He added the club received a citation on July 12, 2006, which was one time after Vajra came in to set their level after the club told Vajra

they had it under control. He added citing officer asked him what he wanted him to do and he asked for a citizens arrest and indicated it didn't need to be a citizens arrest he would site them himself. He added if the club was obeying the sound ordinance then the citation would not exist. He added they had been told to turn down their volume on several occasions by the Commission and received a letter from the Entertainment Commission in April of 2006 giving them 10 days to cure any possible sound problems or be called into city hall for a possible suspension on their permit. He added he hoped the Commission would do something then beyond ask them not to violate the sound ordinance and actually do something that the club would pay attention to and have impact to reduce the sound level.

Monica Blaylock stated she lived behind 12 Galaxies and had been present before the Commission a few times. She added filling the skylights helped a lot from all the projects they did that had the most impact. She added unfortunately sometimes they could still hear them. She added in the middle of May they received an email stated a list of things they were plan on doing. She added sine then they had not heard back from them regarding the status. She added they had to come to the Commission and they did a little work and they were spending way too much time on it.

Commissioner Alan asked if Mr. Dudley or the Neighborhood Association filed a lawsuit against the club regarding the sound complaints.

Mr. Dudley stated some of the residents had and he was not involved in that action.

Adam Burgeon owner of 12 Galaxies stated they truly thought the project they completed in May would be the final project. He added the next step the talked about which was the wall that needed to be filled. He added the first estimate they got to do the job was $7,000.00 and was just a matter of having the money. He added the cost of the skylight soundproofing was $16,000.00 with them doing most of the work themselves. He added it was a matter of money they did not have and they were putting in every penny they had and were given advice that it would work and crossed their fingers and hoped that it would work. He added the night of the citizens arrest he was bartending and had to leave the bar and get an employee to man the bar.

Vice Chair Joseph stated after the soundproofing he knew he still had a problem.

Adam Burgeon stated he did say it and had nothing to hide. He added they were trying do it.

Vice Chair Joseph stated the ordinance stated that sound should not be audible in a residence and he admitted it to a police officer that recorded it in a police report that he was aware of the situation.

Adam Burgeon stated he mentioned he was aware there was an ongoing problem with the neighbors.

Robert Levy stated Vajra came in the beginning of March and told them they had a problem they needed to address. He added prior to then they had never been sited outside citizen's arrest. He added if they looked at the police reports they indicated faint noises coming from their venue. He added Vajra told them to get to work and they did. He added the last two reports from Vajra, the one dated May 19, 2006, Vajra stated he could hear no music or feel any vibration and when he opened the back window he could barley hear any sound coming from the club during a performance. He added the next report on June 14, 2006 closed the case. He added from their perspective they had a case closed by the Entertainment Commission. He added if the Entertainment Commission wants to open the case back up to re-determine additional work they can do have following every suggestion and course of action. He added their limiters were set to 101 db in the club and have undergone major construction. He added they were all frustrated that it has taken 18 months and they have done their best to resolve the issue.

Commissioner Pred stated he mentioned they had followed every suggestion and could not remember which meeting where he made the suggestion where they had one very free option f turn down the volume. He added it didn't require any construction or cost any money a few percentage points off the top of the volume could make a big difference to these peoples peaceful enjoyment of their property. He added he understood they were spending a lot of time and making a good faith effort to resolve the issue. He added in the meantime show some good faith efforts to their neighbors by turning down the volume until they could resolve might go a long way to easy things up with their neighbors.

Commissioner Meko asked when was the applicant's Entertainment permit issued.

Robert Levy stated they opened November 2003. He added the latest version of the Good Neighbor Policy would not apply to his permit. He added why did the applicant did not turn the phone the calls.

Adam Burgeon stated he often did not have his phone and was hesitate to call Mr. Dudley back at 12:00 A.M.

Commissioner Alan asked Vajra Granelli what markers he used to close the case. He added he was trying to come to an understanding whether the forum was any more for the discussion to be had or to go to court.
Vajra Ganelli stated he took into consideration all the past reports and used it to establish an overall average so he could watch the progression of decrease of dba in sound. He added the other factor was the limiting test they talked about. He added on his June 16, 2006 report once the test was done the report was filed the following week the sound levels were marked and he closed the case being that both parties were give copies of the report and both parties knew the sound ceiling and both agreed that it worked. He added Mr. Dudley stated he could not hear the sound at that level and the gentleman from the club agreed they would keep the sound at that level. He added it was his perspective at that time the case was closed because he had been able to get both parties to agree on the conditions that work for both parties.

Commissioner Alan stated there a physiological phenomenona of hypersensitivity. He added the Commission was not physiologist or aural specialist in the sense of hearing and not capable of addressing that. He added when the noise did not exist you could swear it was there. He added he was trying to determine if the case was closed and all parties agreed was it the venue violating the agreement or was it something else the Commission could not address.

Vice Chair Joseph stated it was above and beyond of what the Commission could do any longer. She added if a charge was brought against 12 Galaxies to suspend their permit for noise violation there will be a public hearing. She added at the public hearing testimony would be taken from everyone including officers who said they could barely hear it and including people saying it disturbed their sleep and other neighbors it would have to be preponderance of the evidence to show that they were in violation in order for the Commission to suspend their permit and the suspension would be for 30 days. She added she was not sure the Commission could take the action and the police or the City Attorney could take the action. She added staff should talk to the City Attorney to ask what the next course of action was. She added staff had made due diligence and Vajra had gone out to the venue several times and the venue had spent money and had tried to do their best and it was not satisfactory.

Bob Davis stated he confer with the code enforcement division of the City Attorney's office.

John Wood stated a solution could be that Vajra go out and verify the complaint.

Bob Davis stated that process was already put in place.

Commissioner Meko stated the residents living above Club 6 took the them to small claims

court and they one won a judgment in their favor. He added what was the status of their permits.

Bob Davis stated they did pass the sound test and the judgment was not based on what was current but what had occurred.

5. COMMISSIONER COMMENTS AND QUESTIONS.

Commissioner Alan requested that staff prepare for the Commission a report on the progress for planning for Halloween.

Commissioner Meko stated he wanted to compliment Jocelyn for the work she had been doing in South of Market with the venue and the neighbors. He added the 10B program was working well and seemed to calm people down a lot. He added over a year ago the Commission had a delegation from Seattle Washington examining how the Commission came into being and Commissioner Alan worked closely to take lessons learned back up to Seattle to try to make sense out of a thriving entertainment scene up there. He added in the meantime the New Mayor fired Jim Deer the Department of Neighborhoods and now is also cracking down on the nightlife in Seattle. He added all things considered he thought they were doing something right in San Francisco. He added the fact they had the nightclub industry the neighborhoods and Public Health and law enforcement and urban planning all sitting around at the table all trying real hard to stay on the same page. He encouraged everyone to try hard because it was bad out there.

Vice Chair Joseph stated the economy was not doing well because people were spending whatever income they had whether it was gasoline or electricity or natural gas. She added not only were nightclubs hurting and that why she saw clubs doing stupid stuff because they had to pay the rent. She added there were lots of closed businesses in the Castro district the rent was too high for business to survive. She added a city without nightlife was not a city at all. She added back in her day they had controlled dancing and stuff for kids to do and the kids should have a place to go. She added maybe the Commission should get together with the Youth Commission and revisit the issue until something occurred.

Jocelyn Kane stated if the Commissioners and the people that they knew could consider finding corporate sponsorship there was a perfect model called the Vera Project a teen center in Seattle where kids learned how to come promoters and there was live music. She added it could not exist on its own financial model and needed underwriting.

Entertainment Commission
City and County of San Francisco

Notice and Agenda for Regular Meeting
Tuesday, August 1, 2006 at 5:00 P.M.
Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102

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MEMBERS OF THE COMMISSION

Jordan Shlain, Chair - *Neighborhood Representative*
Audrey Joseph, Vice Chair - *Industry Representative*
Terrance Alan, Commissioner - *Industry Representative*
Bowman Leong, Commissioner - *Urban Planning Representative*
Bruce Lorin, Commissioner - *Law Enforcement Representative*
Jim Meko, Commissioner - *Neighborhood Representative*
Joseph Pred, Commissioner - *Public Health Representative*

CALL TO ORDER AND ROLL CALL

1. PUBLIC COMMENT:

   Members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission. With respect to agenda items, members of the public may address the Commission for up to three minutes at the time such item is called.

2. **REVIEW AND APPROVE MINUTES** of June 20, 2006 and July 18, 2006. **[Action Item]**

3. Nominations for and election of President and Vice-President of the Entertainment Commission for the period July 2006 to June 2007. **[Action Item]**

4. Discussion regarding permit holder dba Suede, regarding neighborhood complaints and noise levels. **[Discussion]**

5. **HEARING AND POSSIBLE ACTION** regarding applications for permits under the jurisdiction of the entertainment commission. **[Action Item]**

   a) **Alemayehu, Netsanet, dba Sheba Piano Lounge, 1419 Fillmore Street, Place of Entertainment.**

ENTERTAINMENT COMMISSION
1 DR. CARLTON B. GOODLETT PLACE, ROOM 453 SAN FRANCISCO, CA 94102
(415) 554-6678 ■ (415) 415 554-5793 ■ Fax (415) 554-7934

6. **REPORT FROM THE EXECUTIVE DIRECTOR**, Bob Davis Report on update on North beach, SOMA, 4th Street and Entertainment Commission 2006 Budget. Inspection report from Sound Technician Vajra Granelli's on recent venue activities. **[Discussion]**

7. **COMMISSIONER COMMENTS AND QUESTIONS.**

8. Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings. **[Action Item]**

ADJOURNMENT.

Please see attached for the Entertainment Commission's interim policy on accessibility to its meetings.

DISABILITY ACCESS

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at

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Sunshine Ordinance Task Force
Donna Hall, Administrator
City Hall, Room 409
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Office: (415) 554-7724
(Fax): (415) 554-7854
(E-mail): Donna_Hall@ci.sf.ca.us

WRITTEN COMMENTS

Persons attending the meeting and those unable to attend may submit written comments regarding the subject of the meeting. Such comments will be made part of the official public record and will be brought to the attention of the Commission. Written comments should be submitted to the Entertainment Commission c/o Jocelyn Kane, Entertainment Commission, Room 453 City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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Entertainment Commission
City and County of San Francisco

Notice and Agenda for Regular Meeting
Tuesday, August 1, 2006 at 5:00 P.M.
Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102

AMENDMENT

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Entertainment Commission

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August 1, 2006

ENTERTAINMENT COMMISSION

City and County of San Francisco

MINUTES OF THE

August 1, 2006
City Hall, Room 406
Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

COMMISSIONERS

Present
Jim Meko
Jordan Shlain
Joseph Pred
Bowman Leong
Terrance Alan
STAFF

Present
Robert Davis, Executive Dir.
Jocelyn Kane and Crystal Stewart

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1. CALL TO ORDER

The Commission Chair called the meeting to order at 5:12 P.M.

ROLL CALL

Bob Davis called the Roll.

Present at the meeting were Commissioners Jim Meko, Jordan Shlain, Joseph Pred, Bowman Leong anc Terrance Alan.

Absent at the time of roll call were:
Audrey Joseph and Bruce Lorin.

Staff present was, Robert Davis, Jocelyn Kane and Crystal Stewart.

2. PUBLIC COMMENT

No public comment.

2. REVIEW AND APPROVAL OF MINUTES OF June 20, 2006 and July 18, 2006

Public Comment
No public comment.

Commissioner Alan move to sever the minutes of June 20, 2006 and July 18, 2006 Commissioner second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Alan, Commissioner Pred, Commissioner Leong and Commissioner Shlain
NOES - None
ABSENT – Commissioner Lorin and Commissioner Joseph

Public Comment
No public comment.

Commissioner Alan move to approve minutes of June 20, 2006 Commissioner Pred second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Alan, Commissioner Pred and Commissioner Shlain
NOES - None
ABSTAIN - Commissioner Leong,
ABSENT – Commissioner Lorin and Commissioner Joseph

Public Comment
No public comment.

Commissioner Alan move to approve minutes of July 18, 2006 Commissioner Meko second the motion.

VOTE:

AYES - Commissioner Meko, Commissioner Alan, Commissioner Pred

NOES - None

ABSTAIN - Commissioner Leong, Commissioner Shlain

ABSENT – Commissioner Lorin and Commissioner Joseph

Motion fails the minutes are continued to the August 15, 2006 meeting.

Nominations for and election of President and Vice-President of the Entertainment Commission for the period July 2006 to June 2007.

Chair Shlain entertained a motion to postpone the election until the next Commission meeting on August 15, 2006 because they did not have a full compliment of Commissioners present.

Public comment

No public comment

Commissioner Meko moved to postpone the election to the next Commission meeting Commissioner Leong second the motion.

VOTE:

AYES - Commissioner Meko, Commissioner Alan, Commissioner Pred, Commissioner Leong and Commissioner Shlain

NOES - None

ABSENT - Commissioner Lorin and Commissioner Joseph

4. Discussion regarding permit holder Eric Chung,dba Club Suede at 383 Bay Street to discuss noise, traffic or Other neighborhood concerns.

Bob Davis stated it was their second meeting that talked about Suede coming before the Commission foı because of specific issues primarily around noise. He added since the previous meeting Suede had beer sited. He added in the discussion with the City Attorney the venue was in the process of being sold again. He added staff and the City Attorney's felt it would be preferable to have the potential purchasers as well as the current owners before the Commission. He added they have asked them to appear on the August 15, 2006 meeting with the new perspective owners and they agreed. He added they would like to continue the item.

Commissioner Alan stated it was appropriate if there were members of the public present to address the Commission on the item they should be allowed to speak.

Public Comment

No public comment.

5. HEARING AND POSSIBLE ACTION REGARDING APPLICATIONS FOR PERMITS UNDER THE JURISDICTION OF THE ENTERTAINMENT COMMISSION

- **Netsanet Alemayehu,dba "Sheba Piano Lounge Brothers," 1419 Fillmore Street, Place of Entertainment.**

Jocelyn Kane stated it was an application for a Place of Entertainment at 1419 Fillmore Street. She added the applicant came in to apply for the permit on June 21, 2006 and planned on having jazz music. She added she had a type 47 license and she was in the process of getting the rest of her sign offs. She added Northern Police station approving Monday through Sunday until 1:30 A.M.

Bob Davis stated it was a project in the redevelopment area and it was brought to staff's attention there was some specific issues and there were gentlemen present to speak on the issues surrounding the construction of the establishment. He added he spoke to the Redevelopment Agency to get a determination and there was ongoing litigation and the redevelopment was not prepared to speak since they were a party to the litigation. He added the City Attorney stated there was nothing in the code the Commission dealt with how labor issues were dealt with.

Netsanet Alemayehu stated she had a restaurant and piano lounge and they would play acoustic piano and a trio on the weekend that was un-amplified. She added they had 75 seating capacity.

Commissioner Alan stated he did a walking tour of the Fillmore and wanted to confirm if her venue and asked was it currently opened as a restaurant.

Netsanet Alemayehu stated it was currently opened as a restaurant.

Commissioner Alan asked about their security plan.

Bob Davis stated the Fillmore Center did not allow other security onsite because of liability issues. He added they would handle the area for security for liability reasons.

Public Comment

Ace Washington stated he was a long time community activist in the Western Addition. He added he had concerns about the establishment requesting a Place of Entertainment. He added as the Director stated there were current litigation issues with the establishment that hired a contractor that did not want to pay prevailing wages after Redevelopment gave them a check to do so. He added in his opinion the City was giving them a green light to do whatever they want to do in their community and it was not acceptable it their community. He added they did not post their sign within the required 30 days.

Chair Shlain stated staff was clear to all Place of Entertainment venues that they are required by law to post their sign and asked for clarity on the issue from staff.

Bob Davis stated applicants are given an affidavit to sign agreeing that they will post their sign for thirty days. He added staff did not go by every area that was posted.

Netsanet Alemayehu stated she knew it was very important and she posted it at 1419 Fillmore for thirty days facing the plaza.

Commissioner Alan stated for the purposes of clarity he had no idea it was a contentious hearing and he had no idea he was looking for a permitted venue or an entertainment posted venue. He added when he walked through venue he did see the posting. He added he could not attest to when and if it was posted for 30 days but it was his reason for walking into the venue in the first place.

Randall Evans stated he was a long time community activist in the Fillmore area. He added he was for people trying to better their businesses. He added he was not protesting the applicant from getting her business going. He added there were some issues they could consider to get themselves back involved in. He added they should all be about the business to be a win, win situation.
He added the Commission had the opportunity to express to the people there were serious concerns about some of the businesses they were dealing with. He added he was one of the workers that had not been paid. He added they needed to pull things together to get things done and hoped the Commission could help with their situation.

Al with the Mayor's office on Community Development. He added they had been working with the Sheba Lounge and Netsanet Alemayehu for sometime and they were very supported in building the jazz district in the Fillmore. He added it was one more project that fit into the scheme of building the Fillmore and putting

together the jazz district. He added there was a dispute that has arisen they are not a party to the dispute but they were trying to help resolve the issue. He added it pertained to a prevailing wage rate issue with a contractor. He added he believed the issue would get resolved and those parties involved would be compensated. He added meanwhile Sheba has opened and thought the entertainment permit would contribute to them being a viable business and did not see a reason to hold up the permit.

Agonafer Shiaferaw stated he was in the jazz entertainment business for the past 20 years. He added he was friends of the applicant for the Sheba Piano Lounge and was involved in helping them and wants to see more activities in the area and redevelopment in the area. He added he hoped the legal issues of would be resolved. He added he hoped the Commission would support their efforts.

Ira Domingo stated he was a resident of the Fillmore Center and he lives above the Sheba Lounge. He added he was present when they were building the Sheba Piano Lounge and there was a contract they would not begin construction before a certain time. He added they violated that agreement and on several occasions he had to tell them to stop to the point where security had to tell them to stop the banging. He added it was too much noise over a six-month period. He added he was not going to comment but when Mr. Shiaferaw made the comment of the economic community he felt compelled
to speak. He added he moved from New Orleans to the western addition in 1965, he added economic wise there were no employees there of African American decent and he couldn't say that when he was not helping the community at large.

Public comment closed.

Chair Shlain stated the Commission had a limited scope. He added for clarity there were a number of issues that surround the permit. He added he did not know if the Commission could take any of the information and apply it to the very limited scope of what the Commission did in terms of conditioning a permit.

Bob Davis stated the Commission did not have authority to factor in things that were extraneous to the limited scope of an entertainment permit. Bob Davis stated staff recommendation was based on conferring with the other city agencies.

Commissioner Meko asked staff what sign offs were still pending.

Jocelyn Kane stated a sound test was pending and she had not heard back from the Fire Department or Building Inspection.

Commissioner Meko stated he hoped the Mayor's office would be involved with facilitating litigation on the matter. He added the Commission had very limited scope and essentially dealt with noise and nuisance. He added he was sorry the Commission could not address the other issues and they had to the Commission would have to look at it strictly on the police code provisions that guide granting permits.

Commissioner Meko move to approve Commissioner Alan second the motion.

VOTE:

AYES - Commissioner Meko, Commissioner Alan Commissioner Pred and Commissioner Shlain

NOES - None

ABSENT - Commissioner Leong, Commissioner Alan and Commissioner Joseph

Chair Shlain stated while the Commissionhas conditionally granted the permit he hoped the community, the owner, the Redevelopment Agency and the Mayor's Office and everyone at the end of the day quickly resolve the issues. He added they were in a neighborhood that was economically depressed and they needed help. He added it would be to everyone's benefit now that they had the permit to listen to the neighbors and the community activist that spoke today and take some of those things to heart so they could impact the economic the economic well being of the neighbors, residents as well as the people coming from outside to visit their venue.

4. EXECUTIVE DIRECTOR REPORT

Bob Davis stated the status of North Beach had been fairly calm and the Jazz festival was coming up. He added there had been some complaints about motorcycles they were trying to deal through Supervisor Peskin's office and there has been an agreement with individual venues to contribute to have four 10B's to be on foot patrol along Columbus. He added they have had meetings with Zebra Lounge and they cancelled an event that Captain Dudley requested that had been getting out of hand. He added their weekend events have been calmer and there were still issues about the sidewalk but they were not just related to Zebra Lounge and overall North Beach was progressing well. He added SOMA was progressing well they had instances of some noise and SOMA has agreed to 10B participation as well and staff has been going to meetings as well and there was ongoing dialog. He added they were working through issues with Southern station with regard to the timeliness of receiving reports. He added there was a meeting with the venue at Metreon and the management team from the Metreon and they feel it would resolve some of the issues and there were ongoing discussions with the Mayor's Office of Criminal Justice to deal with some of the other issues that were not germane to the Jillian's. He added the Entertainment Commission budget was passed and the new fees were passed. He
added Commissioner Alan passed his second vote at the board for a second term and Commissioner Lorin was sent to the full Board last week with one vote and was awaiting his second vote.

Jocelyn Kane stated Metreon are requesting from Southern station to get a sub station at the Metreon, which would allow them to be more present on 4th street during the daytime and nighttime and Jillian's was in support of it as well. She added Metreon management could use as much help in the effort as possible so that they can help Yerba Buena and the Hotels in the area with the problems they were seeing.

Chair Shlain stated he witness the issues on 4th street.

Vajra Granelli stated the 4th Street garage had patrol specials on duty. He added last week he was in Sake Lab and there still was no change with there sound and felt they should be brought before the Commission. He added he was distributing an educational letter to bars and venues in the southern district and SOMA to help them to see what the Commission was looking for and to tell them were some of the problem areas were. He added the 11th street area was starting to improve and the 10B's were walking the beat and checking the alleys. He added there were still some problem clubs in the city but they have been successful with venues over all. He added the other problem was clubs operating without permits.
Commissioner Alan asked if the Director could give them a status report on Halloween.

Bob Davis stated there was a meeting held at the Harvey Milk School last week that was sponsored by Supervisor Dufty's office. He added at the meeting they announced Halloween would be different. He added there would be no entertainment and no stages. He added there would still continue to be an emergency corridor and there would police services and no street closures. He added there was another meeting tomorrow in the Mayor's office. He added there was a suggestion to move Halloween and they caution the Supervisors that there would be problems to move the event.

Commissioner Alan stated he thought it would be appropriate response to the action of the Supervisors to have the Commission's City of attorney to issue a letter of understanding that the Entertainment Commission no longer had the responsibilities for planning and coordinating the City's services since the Supervisor had taken the lead. He added he made the suggestion to protect the Commission's legislative mandate.

Bob Davis stated he would check with the City Attorney to make that determination. He added there were still city services being coordinated and they have been participates at the meetings. He added he would get a letter from the City Attorney clarifying what the Commission's responsibilities were.

Commissioner Meko stated there was enough time to agendize the discussion and recommended Supervisor Dufty is brought in on the discussion.
Public Comment

Daisy Anarchy asked when the next North Beach Task Force meeting would be and what as the progress of bringing the sexual assault unit of the Police Department to the table of the North Beach Task Force and what was the status of the four adult entertainment venues that are permitted by the Entertainment Commission that were operating in violation of their permits.

Bob Davis stated the next North Beach Task Force meeting would be in September to review the summer to determine what worked and what did not work. He added they brought the request to the Police Department's attention to have someone from sexual assault to attend the meeting. He added they have been made aware and alerted the Police Station as to all of the clubs and that was the extent to the Commission's investigation at this point as to whether or not they are in violation, he added it was not his violation they were of the sound permit or anything along the lines the Commission would investigate. He added the Commission was an administrative body and not the enforcement arm and that's why they turned it over to Vice, Police Department and the Health Department.

Daisy Anarchy asked was the official word from the Entertainment Commission of where the process.

Bob Davis stated they have taken it under advisement and have notified other city agencies that responsible. He added the Commission on the Status of Women had spoken to them as well and he did not know where they were in the process.
John Wood stated with respect to Halloween in the Castro he had to question whether the problems that were reported which were primarily gangs and youth problems were going to be addresses in any way by the removal of the stages? He added the youth were not there because of the stages and the stages were intended to act as a deterrent to the larger population. He added he understood the problem and did not think the proposed solution was going to work and could make the situation worse. He added serious questions should be asked if the solution that was proposed would make the problem worse.

5. COMMISSIONER COMMENTS AND QUESTIONS.

Commissioner Alan asked staff received complaints about the North Beach Jazz Festival. He requested that a voting record log of the Commissioners and put it into the minutes to begin to assemble a database on the voting record of the Commission. He added was there ability to reach out to a physiologist to do an analysis of crowd behavior as it relates to exiting and the large assembly problems they were encountering on 4th and 11th Streets. He added he would like the Youth Commission to be kept apprise on the progress of Halloween meetings.

Commissioner Meko stated who would have thought 4th street Metreon area would become such a mess. He added it did involve a scarcity of places for young people and there were problems years back with them feeling un-welcomed at the Metreon. He added it was unfortunate that it had turned into a battleground. He added they should establish more of a dialog with the Youth Commission. He added he heard good comments form the resident's on 11th street about Police presence he added if they could get a squad car parked on the street that would be great.

Jocelyn Kane and Vajra Granelli stated they did not receive any complaints.

Commissioner Pred stated he had met with Jocelyn last week to brainstorm how to integrate the Department of Public Health EMS Plan. He added he supported the SOMA substation. He added he may not be present at the next meeting and if he were up for nomination for president or vice president he would accept either nomination.

6. DISCUSSION AND DIRECTION TO STAFF TO PLACE ITEMS ON THE AGENDA FOR FUTURE ENTERTAINMENT COMMISSION MEETINGS.

Commissioner Alan stated to add discussion Halloween in the Castro as an item. He added to get a reading from the city attorney on the Entertainment Commission's involvement with Halloween.

ADJOURNMENT. 6:34 P.M.

Respectfully submitted by Crystal Stewart.

Entertainment Commission
City and County of San Francisco

Notice and Agenda for Regular Meeting
Tuesday, August 15, 2006 at 5:00 P.M.
Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102

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MEMBERS OF THE COMMISSION

Jordan Shlain, Chair - *Neighborhood Representative*
Audrey Joseph, Vice Chair - *Industry Representative*
Terrance Alan, Commissioner - *Industry Representative*
Bowman Leong, Commissioner - *Urban Planning Representative*
Bruce Lorin, Commissioner - *Law Enforcement Representative*
Jim Meko, Commissioner - *Neighborhood Representative*
Joseph Pred, Commissioner - *Public Health Representative*

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CALL TO ORDER AND ROLL CALL

1. **PUBLIC COMMENT**:

   Members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission. With respect to agenda items, members of the public may address the Commission for up to three minutes at the time such item is called.

2. **REVIEW AND APPROVE MINUTES** of June 20, 2006 and August 1, 2006. **[Action Item]**

3. Presentation and overview of the new California State Law AB2176 from Alexa Kielty and Julie Bryant with the City Government Recycling Associate San Francisco Environment. **[Discussion]**

4. Discussion regarding permit holder Eric Chung, dba Club Suede at 383 Bay Street, San Francisco, CA., to discuss noise, traffic or other neighborhood concerns. **[Discussion]**

5. **HEARING AND POSSIBLE ACTION** regarding applications for permits under the jurisdiction of the entertainment commission. **[Action Item]**

a) **McGarry, Maireas, dba "Maggie McGarry's" 1353 Grant, Place of Entertainment.**

b) **Mahfouz, Toufic, dba "Byblos Bar and Grill" 270 Columbus, Place of Entertainment.**

c) **Butler, Anita, dba "Fanatics Sports Complex" 601 Cesar Chavez, Place of Entertainment/Billiard Parlor.**

d) **King, Pete, dba "Prideworks/Hairrison Fair" Best Western Motel, 394 9th Street (pool courtyard only), Loudspeaker Permit/Itinerant Show, Thursday Aug 31, 2006, 6PM - 10PM, Friday Sept 1, 2006, 6PM - 10PM, Saturday Sept 2, 2006, 11AM - 10PM, Sunday Sept 3, 2006, 11AM - 8PM.**

e) **King Pete, dba "Hairrison Street Fair" Harrison Street (Betw.9th and 10th), Loudspeaker Permit, Sunday September 3, 2006, 11AM - 6PM.**

6. **REPORT FROM THE EXECUTIVE DIRECTOR**, Bob Davis report and Halloween update. Inspection report from Sound Technician Vajra Granelli's on recent venue activities. **[Discussion]**

7. **COMMISSIONER COMMENTS AND QUESTIONS.**

8. Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings. **[Action Item]**

ADJOURNMENT.

Please see attached for the Entertainment Commission's interim policy on accessibility to its meetings.

DISABILITY ACCESS

Room 406 is wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #42 Downtown Loop, the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI services, call 923-6142. Large print agendas are available. Sign language interpreters are available upon request by contacting the Entertainment Commission Office at least two working days prior to a meeting. Individuals with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities should also call the Entertainment Commission Office. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City

accommodate these individuals. A TDD phone for the Entertainment Commission is available on request.

The ringing and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Pleased be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at **www.ci.sf.ca.us/bdsupvrs/sunshine**. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact:

Sunshine Ordinance Task Force
Donna Hall, Administrator
City Hall, Room 409
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Office: (415) 554-7724
(Fax): (415) 554-7854
(E-mail): Donna_Hall@ci.sf.ca.us

WRITTEN COMMENTS

Persons attending the meeting and those unable to attend may submit written comments regarding the subject of the meeting. Such comments will be made part of the official public record and will be brought to the attention of the Commission. Written comments should be submitted to the Entertainment Commission c/o Jocelyn Kane, Entertainment Commission, Room 453 City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

"Explanatory Documents: Copies of explanatory documents listed in this agenda, and other related materials received by the Entertainment Commission after the posting of this agenda, can be obtained during normal office hours at the Entertainment Commission office on the 4th floor of City Hall, 1 Dr. Carlton B. Goodlett Place, Room #453, San Francisco, CA 94102, and also, to the extent possible, will be available on the Commission's website at http://www.sfgov.org/entertainment."

Entertainment Commission

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August 15, 2006

ENTERTAINMENT COMMISSION

City and County of San Francisco

MINUTES OF THE

August 15, 2006
City Hall, Room 406
Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

COMMISSIONERS

Present
Jim Meko
Jordan Shlain
Bruce Lorin
Bowman Leong
Audrey Joseph
Terrance Alan

STAFF

Present
Robert Davis, Executive Dir.
and Crystal Stewart

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1. CALL TO ORDER

The Commission Chair called the meeting to order at 5:11 P.M.

ROLL CALL

Bob Davis called the Roll.

Present at the meeting were Commissioners Jim Meko, Jordan Shlain, and Bruce Lorin, Audrey Joseph and Terrance Alan.

Absent at the time of roll call were: Joseph Pred

Staff present was, Robert Davis and Crystal Stewart.

2. PUBLIC COMMENT

Madrid Crawford stated he was the community outreach coordinator for Third Good Marshall Academic High School Parent Teacher Student Association. He added they were seeking support from the Entertainment Commission on finding a venue location for a youth event they were planning in three months.

Commissioner Joseph stated they should contact officer Gigi George with the Bayview Police Station to ask for venue suggestions because she knew all the venues in the area and suggested they contact the Bay view Opera House. She added the Commission supported their event.

Public comment closed.

2. REVIEW AND APPROVAL OF MINUTES OF June 20, 2006 and August 1, 2006

Commissioner Leong move to sever the minutes Commissioner Alan second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Lorin, Commissioner Shlain, Commissioner Leong, Commissioner Joseph and Commissioner Alan
NOES - None
ABSENT - Commissioner Pred

Chair Shlain stated they would continue the minutes of June 20, 2006 because they did not have a quorum.

Public comment
No public comment

Commissioner Alan move to approve the minutes of August 1, 2006 Commissioner Leong second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Shlain, Commissioner Leong and Commissioner Alan
NOES - None
ABSTAIN - Commissioner Lorin
ABSENT - Commissioner Pred and Commissioner Joseph

Presentation and overview of the new California State Law AB2176 from Alexa Kielty and Julie Bryant with the City Government Recycling Associate San Francisco Environment.

Bob Davis stated what would be presented today was first presented when they were participating in the RFF for Bill Graham that spoke to new legislation that would involve events the Entertainment Commission mighı permit that were above a certain size.

Julie Bryant stated she and Alexa Kielty worked with the San Francisco Department of Environment in the recycling program. She added they wanted to present some of their department's goals, some reasons tc recycle and reduce waste and suggest ways they could work together in the future to minimize their impact or the environment.

Alexa Kielty stated AB939 was one of the first laws past by the state in 1989 requiring all cities to reduce theiı waste by 50%. She added in 2001 the Board of Supervisors passed a zero waste goal. She added the AB2176 was the large venues and event-recycling bill past by Governor Schwarzenegger. She added it requires venues with over 2,000 people to submit a recycling plan and implementation to their office. She added the other bil on the books was the special events ordinance, which is implemented through Parking and Traffic. She addec when a special event applied for their street closure permit they are required to submit a recycling plan anc map of their recycling station and proof of garbage and recycling services. She added they wanted to propose to implement something similar with the Entertainment Commission.

Commissioner Alan stated they should create reinforcement manner to seek compliance from the venues ir the 500 to 2,000 range.

Alexa Kielty stated they would like to meet with the Entertainment Commission again to discuss the issues.

Discussion regarding permit holder Eric Chung,dba Club Suede at 383 Bay Street, San Francisco, CA., to discuss noise, traffic or other neighborhood concerns.

Bob Davis stated the item was requested at the beginning of the summer. He added then the applicant learnec there was a potential sale and they asked the current owners and the perspective owners to both come to the hearing to talk about issues.

Vajra Granelli stated there were three short reports dating back May 2006. He added they were sited foı sound and on June 2006, and were told to turn their sound down but were not sited and in July they were sitec for sound.

Samantha Zutler stated she was representing the new owners.

Commissioner Joseph asked where was the sound was leaking from.

Vajra Granelli stated the sound was leaking from the second floor lounge and both windows and doors anc uncapped vents on the side of the building and the back wall that was exposed when the building was torr down and was now being recovered. He added it was leaking from the front side door.

Commissioner Joseph stated did they have plans to fix it.

Chair Shlain stated they should pay attention to Vajra Granelli and get the sound issue worked out.

Commissioner Meko asked if they were continuing to operate.

Eric Chung stated they lowered their limiter to a low level.

Commissioner Alan stated when they complete the transfer of the business that the building contains the sound. He added it was in their best long-term interest as a business owner.

Commissioner Joseph stated Chair Shlain has left and asked her to chair the remainder of the meeting. She added when the applicant applied there was no transfer with a Place of Entertainment they had to reapply for a Place of Entertainment permit.

Commissioner Leong stated given he current condition of the building if they keep the volume down to a certain level was the noise level acceptable. He added when would the transfer be complete.

Eric Chung stated the transfer would start in a week.

Bob Davis stated Eric Chung has responded with the issues around noise and crowd control. He added they have remained in touch with him and staff was feeling more confident.

5) HEARING AND POSSIBLE ACTION REGARDING APPLICATIONS FOR PERMITS UNDER THE JURISDICTION OF THE ENTERTAINMENT COMMISSION

a) McGarry, Maireas, dba "Maggie McGarry's" 1353 Grant, Place of Entertainment.

Bob Davis stated the applicant submitted an application on July 14, 2006 for a Place of Entertainment. He added it they renovated the venue into an Irish Pub environment. He added entertainment would include live bands on the weekends. He added the Planning Department indicated it was a permitted use. He added Company A had concerns and Vajra Granelli was working with them to ensure there was sound containment.

Michael Graham stated he and his wife own Maggie MaGarry's and they planned on doing traditional Irish music.

Commissioner Lorin stated the police department raised several questions about his security plan, training for bar staff and plans to keep the sidewalk clear and a smoker's option and asked him to explain his plans.

Michael Graham stated he tentatively hired three security people that would attend the lead training. He added he hand picked his veteran bar staff for the past three years and they would take ABC courses and the sidewalk clearing would be handled be the security people.

Commissioner Leong asked if the noise test had been conducted.

Vajra Granelli stated he had did a sound test. He added they did a considerable amount of work and sound proofing on their venue. He added from his preliminary test and the test he did they passed.

Public Comment
No public comment.

Commissioner Lorin moved to conditionally grant the permit Commissioner Leong second the motion.

VOTE:
AYES - Commissioner Lorin, Commissioner Leong Commissioner Alan and Commissioner Joseph
NOES - None
ABSENT - Commissioner Pred. Commissioner Shlain
Away at time of vote- Commissioner Meko

b) Mahfouz, Toufic, dba "Byblos Bar and Grill" 270 Columbus, Place of Entertainment.

Bob Davis stated the applicant submitted his application on June 16, 2006 for a place of Entertainment and Extended Hours premises. He added the applicant intends to operate as a full service restaurant and lounge

and provide entertainment in the form of DJ's and live music including belly dancing with a Mediterranean cuisine. Planning Dept indicates that entertainment is a permitted use until 2:00 A.M. only and conditional use authorization. He added Company A has still not replied with a recommendation. He added the applicant was initially head by the Entertainment Commission on July 18, 2006 and the item was continued. He added the location was reposted.

Mark Renne stated when he applied for the Place of Entertainment it was a continuation of existing usage. He added Planning came back and said they made a mistake and if they wanted conditional hours they would have to get a conditional use authorization. He added because of the delicate situation on Broadway and with the Police Department they decided they would not apply for a conditional use at this time. He added they would continue the item. He the issue was who would pay for the mistake and did his client pay $1,400.00 dollars because planning made a mistake. He added he would have never applied had they thought it was anything other than an extension of a previous existing usage.

Vice Chair Joseph asked would he peruse the conditional use through Planning for after hours. She added what changes were in place since their last appearance before the Commission.

Mark Renne stated since their last appearance they were putting in acoustical caulk around all the windows and a film on the outside of all the windows which was going to strengthen the windows and hopefully cut down on any potential vibration and noise. He added the main issue with the prior venue was that the Fire Department would never sign off on the doors. He added they added their fire doors and would be up to code and they would be done by Friday and would get their sign off from the Fire Department. He added when the sound system was back they would have Vajra to come do a sound reading. He added he had there was a letter from Captain Dudley recommending approval of the transfer if all eleven conditions presently remain on the license. He added he would request a conditional grant with no conditions on the hours of operation on the entertainment license.

Vice Chair Joseph asked when would the applicant intend to begin operations.

Mark Rennie stated when he got his liquor transfer and his signoff from building and fire within the next week or so.

Public Comment
No public comment.

Commissioner Alan moved to sever the permits Commissioner Lorin second the motion.

VOTE:
AYES - Commissioner Lorin, Commissioner Leong, Commissioner Meko Commissioner Alan and Commissioner Joseph
NOES - None
ABSENT - Commissioner Pred and Commissioner Shlain

Public comment
No public comment.

Commissioner Lorin moved to continue the extended hours permit Commissioner Leong second the motion.

VOTE:
AYES - Commissioner Lorin, Commissioner Leong Commissioner Meko Commissioner Alan and Commissioner Joseph
NOES - None
ABSENT - Commissioner Pred and Commissioner Shlain

Public comment
No public comment.

Commissioner Alan moved to conditional grant the Place of Entertainment Permit without a restriction on the days of operation from the previous meeting Commissioner Leong second the motion.

VOTE:
AYES - Commissioner Lorin, Commissioner Leong Commissioner Meko Commissioner Alan and Commissioner Joseph
NOES - None
ABSENT - Commissioner Pred and Commissioner Shlain

c) Butler, Anita, dba "Fanatics Sports Complex" 601 Cesar Chavez, Place of Entertainment/Billiard Parlor.

Bob Davis stated the application was initially received on September 29, 2005 but hearing was continued due to construction delays. Application was re-activated and re-posted for August 15, 2006 meeting but applicant removed his request for Extended Hours Premises at this time. He added the applicant is operating a large sports bar with additional DJ and live music inside. Located on Port Property at the end of Cesar Chavez, there are few, if any, residential buildings nearby. Planning indicates this is a permitted use, and included in your package is a letter from the Port of SF indicating their support for "Sports Bar/Night Club facility." SFPD Bayview Station's initial recommended conditions are attached. However, an updated version is forthcoming. He added a new set of conditions arrived today. He added staff recommends granting conditional approval.

Anita Butler stated she had questions on condition No. 11 the cool down and sale out policy.

Bob Davis stated it was a standard policy the Entertainment Commission has worked out with officer George. He added the sell out policy meant that no event could be sold out in advance because they did not want people coming to the event expecting to get in and not get in. He added the cool down period was a prescribed time prior to closing at least 45 minutes they lights come up and change the music so that by closing the mood of the patron will have tempered slightly. He added they were extending this process to other areas of the city.

Anita Butler stated other than that they agreed to the conditions that were handed to them today.

Commissioner moved to conditional grant the Place of Entertainment Permit

Commissioner Lorin asked if she had experience operating a club.

Anita Butler stated the business partners she worked with had experience operating a club.

Commissioner Alan stated when the Commission received recommendations from the police department they did not find them to be appropriate as the conditions tonight. He added if a promoter wanted to use their facility they should be aware when it happened it was still their facility, their license and their reputation on the line. He added whatever the event promoter brought to their business was on their shoulders not theirs.

He added the reason for putting condition No. 10 often times it was not clearly understood by everyone that gets into the business. He added it was in their best business interest to make sure they have a policy that they review and approve all the advertisement and promotional materials to have an understanding of what is attracted to their venue.

Anita Butler stated the business partners had experience operating a club.

Bob Davis stated staff has met with the management and had many discussions and it would be a very closely operated business.

Public Comment
No public comment

Commissioner Lorin moved to conditionally grant the permit and include the stipulations from the Police Department as is Commissioner Alan second the motion.

Commissioner Alan offered the friendly Amendment to item to modify No. 15

Commissioner Lorin accepted the friendly amendment.

VOTE:
AYES - Commissioner Lorin, Commissioner Leong Commissioner Meko Commissioner Alan and Commissioner Joseph
NOES - None
ABSENT - Commissioner Pred and Commissioner Shlain

Vice Chair Joseph stated she would consolidate item D& E together.

d) King, Pete, dba "Prideworks/Hairrison Fair" Best Western Motel, 394 9th Street (pool courtyard only), Loudspeaker Permit/Itinerant Show, Thursday Aug 31, 2006, 6PM - 10PM, Friday Sept 1, 2006, 6PM - 10PM, Saturday Sept 2, 2006, 11AM - 10PM, Sunday Sept 3, 2006, 11AM - 8PM.

e) King Pete, dba "Hairrison Street Fair" Harrison Street (Between 9th and 10th), Loudspeaker Permit, Sunday September 3, 2006, 11AM - 6PM.

Bob Davis stated since the item was places on the agenda the over all plans for Mr. King's event has changed dramatically than what has been presented so there could be no vote on the item as it stands. He added the modification was it would be moved to a different location and would only asking for an amplified sound permit on one day from 11:00 A.M. to 6:00 P.M. He added in the past staff had some level of discretion on the item. He added he has been working with Commissioner Meko and Commissioner Shlain on the issue. He added the applicant was not requesting anything from the Commission tonight do to the drastic changes.

Commissioner Meko stated he and president Shlain had been involved with tryi9ng to work it through. He added they have worked well with Mr. King and the neighbors. He added he thought they were in agreement until ISCOTT through them for a loop with regard to the Bay Bridge closing. He added they were going from a five-day event to a one-day event. He added they would have to look for the Commissioners consensus to look towards the to allow staff to go forward with granting the permit. From 11:00 A.M. to 6:00 P.M.

Vice Chair Joseph stated if there was not a problem in the neighborhood she supported the issuance of the permit. She added items D & E were withdrawn from the agenda.

Pete King stated they withdrew their permits because of the closing of the Bay Bridge caused delays of the ISCOTT permit. He added they were sensitive to the neighbors and agreed to shift down a couple of blocks to hold their event.

6) EXECUTIVE DIRECTOR REPORT

Bob Davis stated there have been several meetings for Halloween, which the Chair could elaborate on. He added there has been a revisiting of how Halloween would be approached this year. He added the production would be handled by Commissioner Joseph and staff will work the event and there will be a single stage. He added staff would come back to the Commission with a full details at the next Commission meeting.

Vajra Granelli stated he had a list of three categories that included a watch list, venues that get continuous complaints and from that information he would go in solo or sometimes permit officers from different stations and looked at the citations and if there was a problem they open an investigation visit the venue a few times and if there was not a problem they are removed from the watch list and another venue would take its place. He added under the active investigation it meant there was some kinds of issue with the venue sound test are done as well as repeated visit of the venue and active reports are done and once the issues are resolved they are removed from the list. He added the last list was the ongoing list of venues with repeated problems, which included the Broadway Corridor, 4th Street 11th street corridor, Hush, Hush Lounge and Suede.

7. COMMISSIONER COMMENTS AND QUESTIONS.

Commissioner Lorin stated a tactic that was very seldom used when you had a club that was in your face and it was a continuing offense the police could lock up the owner and they don't have to give them a citation. He added getting a citation was a right and one of the reasons it did not justify a citation was a c continuous offense. He added the police did not have a right to pull their permit and the applicant had a right to a hearing before they could touch their permit.

Commissioner Meko stated there would a be a gala community potluck south of Market Saturday at 11th and Howard Street from 6:00 P.M. to 9:00 P.M. night and all were welcomed.

Commissioner Alan stated he agreed with Commissioner Lorin's comments. He added it was an effective tool. He added the Entertainment Commission might not have existed had not the Police Department ceased his sound system in New Years Eve of 1995. He added the Legislative Committee has taken up a subject that he had to recuse himself from and the chair and Commissioner Leong is the quorum for the committee to meet. He added there has been a substantial amount of public comment and at the last meeting the item was continued. He added there would be a Friday meeting.

Commissioner Joseph stated the City Attorney created a cheat sheet for Halloween with regards to noise complaints and nuisance so they would be able to site business and residence having their speakers out the window.

4. DISCUSSION AND DIRECTION TO STAFF TO PLACE ITEMS ON THE AGENDA FOR FUTURE ENTERTAINMENT COMMISSION MEETINGS.

Nothing to report.

ADJOURNMENT. 6:34 P.M.

Respectfully submitted by Crystal Stewart.

Entertainment Commission
City and County of San Francisco

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cancelled

Notice of Cancelled Meeting

For the Entertainment Commission

Meeting on Tuesday, September 5, 2006

City Hall, Room 406 at 4:00 P.M

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

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Entertainment Commission
City and County of San Francisco

Notice and Agenda for Regular Meeting
Tuesday, September 19, 2006 at 5:00 P.M.
Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102

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MEMBERS OF THE COMMISSION

Jordan Shlain, Chair - *Neighborhood Representative*
Audrey Joseph, Vice Chair - *Industry Representative*
Terrance Alan, Commissioner - *Industry Representative*
Bowman Leong, Commissioner - *Urban Planning Representative*
Bruce Lorin, Commissioner - *Law Enforcement Representative*
Jim Meko, Commissioner - *Neighborhood Representative*
Joseph Pred, Commissioner - *Public Health Representative*

CALL TO ORDER AND ROLL CALL

1. **PUBLIC COMMENT:**

   Members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission. With respect to agenda items, members of the public may address the Commission for up to three minutes at the time such item is called.

2. **REVIEW AND APPROVE MINUTES** August 15, 2006. **[Action Item]**

3. Nominations for and election of President and Vice-President of the Entertainment Commission for the period July 2006 to June 2007. **[Action Item]**

4. Discussion regarding venues in the Castro and South of Market, under the control of Greg Bronstein, to discuss status of permits. **[Discussion]**

5. **HEARING AND POSSIBLE ACTION** regarding applications for permits under the jurisdiction of the entertainment commission. **[Action Item]**

   a) Rovner, Izir, dba "Russia House," 2011 Bayshore, Place of Entertainment.

   Consent Calendar:

b) **Nguyen, Hai, dba "TL Bida," 292 Turk Street, Billiard Parlor.**

c) **Cazares, Jose, dba "Bonanza Restaurant," 16 Toland, Billiard Parlor.**

6. **REPORT FROM THE EXECUTIVE DIRECTOR**, Bob Davis report: Update on North Beach South of Market Hot Spots. Inspection report from Sound Technician Vajra Granelli's on recent venue activities. **[Discussion]**

7. **COMMISSIONER COMMENTS AND QUESTIONS.**

8. Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings. **[Action Item]**

ADJOURNMENT.

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at **www.ci.sf.ca.us/bdsupvrs/sunshine**. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact:

Sunshine Ordinance Task Force
Donna Hall, Administrator
City Hall, Room 409
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Office: (415) 554-7724
(Fax): (415) 554-7854
(E-mail): Donna_Hall@ci.sf.ca.us

WRITTEN COMMENTS

Persons attending the meeting and those unable to attend may submit written comments regarding the subject of the meeting. Such comments will be made part of the official public record and will be brought to the attention of the Commission. Written comments should be submitted to the Entertainment Commission c/o Jocelyn Kane, Entertainment Commission, Room 453 City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

"Explanatory Documents: Copies of explanatory documents listed in this agenda, and other related materials received by the Entertainment Commission after the posting of this agenda, can be obtained during normal office hours at the Entertainment Commission office on the 4th floor of City Hall, 1 Dr. Carlton B. Goodlett Place, Room #453, San Francisco, CA 94102, and also, to the extent possible, will be available on the Commission's website at http://www.sfgov.org/entertainment."

Entertainment Commission
City and County of San Francisco

Notice and Agenda for Regular Meeting
Tuesday, September 19, 2006 at 5:00 P.M.
Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102 **AMENDED**

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MEMBERS OF THE COMMISSION

Jordan Shlain, Chair - *Neighborhood Representative*
Audrey Joseph, Vice Chair - *Industry Representative*
Terrance Alan, Commissioner - *Industry Representative*
Bowman Leong, Commissioner - *Urban Planning Representative*
Bruce Lorin, Commissioner - *Law Enforcement Representative*
Jim Meko, Commissioner - *Neighborhood Representative*
Joseph Pred, Commissioner - *Public Health Representative*

9/19/06 amended

CALL TO ORDER AND ROLL CALL

1. **PUBLIC COMMENT:**

   Members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission. With respect to agenda items, members of the public may address the Commission for up to three minutes at the time such item is called.

2. **REVIEW AND APPROVE MINUTES** of June 20, 2006 and August 15, 2006. **[Action Item]**

3. Nominations for and election of President and Vice-President of the Entertainment Commission for the period July 2006 to June 2007. **[Action Item]**

4. Discussion regarding venues in the Castro and South of Market, under the control of Greg Bronstein, to discuss status of permits. **[Discussion]**

5. **HEARING AND POSSIBLE ACTION** regarding applications for permits under the jurisdiction of the entertainment commission. **[Action Item]**

   a) Rovner, Izir, dba "Russia House," 2011 Bayshore, Place of Entertainment.

ENTERTAINMENT COMMISSION
1 DR. CARLTON B. GOODLETT PLACE, ROOM 453 SAN FRANCISCO, CA. 94102
(415) 554-6678 ■ (415) 415 554-5793 ■ Fax (415) 554-7934

Consent Calendar:

b) Nguyen, Hai, dba "TL Bida," 292 Turk Street, Billiard Parlor.

c) Cazares, Jose, dba "Bonanza Restaurant," 16 Toland, Billiard Parlor.

6. **REPORT FROM THE EXECUTIVE DIRECTOR**, Bob Davis report: Update on North Beach South of Market Hot Spots. Inspection report from Sound Technician Vajra Granelli's on recent venue activities. **[Discussion]**

7. **COMMISSIONER COMMENTS AND QUESTIONS.**

8. Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings. **[Action Item]**

ADJOURNMENT.

Please see attached for the Entertainment Commission's interim policy on accessibility to its meetings.

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Entertainment Commission

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September 19, 2006

ENTERTAINMENT COMMISSION

City andCounty of San Francisco

MINUTES OF THE

September 19, 2006
City Hall, Room 406

Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

COMMISSIONERS

Present
Jim Meko
Jordan Shlain
Bruce Lorin
Bowman Leong
Terrance Alan
Audrey Joseph

STAFF

Present
Robert Davis, Executive Dir.
Jocelyn Kane and Crystal Stewart

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1. CALL TO ORDER

The Commission Chair called the meeting to order at 5:10P.M.

ROLL CALL

Bob Davis called the Roll.

Present at the meeting were Commissioners Jim Meko, Jordan Shlain, Audrey Joseph Terrance Alan anc Bruce Lorin.

Absent at the time of roll call were: Joseph Pred.

Staff present was, Robert Davis, Jocelyn Kane and Crystal Stewart.

2. PUBLIC COMMENT

Emery Mandel stated he resides in San Francisco on South of Market. He added he was aware there had beer patrolling on Friday and Saturday evenings by 10B officers. He thanked the Commissioner's and staff, the police and club owners for the work they have been doing to make it possible. He added it has been helpful for the residents and the patrons of the club to keep things safe and sane. He added he was aware there hac been discussions surrounding party busses and as a resident he thought it was positive and it seemed to keep people from driving drunk. He added there had been occasions where the residents had not been able to exit or enter their streets because of the loading or unloading of party buses. He added Resurrection Theatre was taking its place. He added he and the neighbors would like to be notified and part of the process when a sounc check was done.

Mark Renne stated for the record Studio Z and Resurrection Theatre, Robin Ryker was the Resurrection club and he has had a permit 314 11th Street at least 10 years and had an active liquor license. He added he was open once every two weeks to keep it open. He added Studio Z were no longer the promoters of that venue. He added Mr. Ryker was working on the sound attenuation at the space and hopefully it would stop the neighborhood problems.

Commissioner Meko asked if Mr. Ryker was engaged in any activities that required the Place of Entertainment permit.

Mark Renne stated for a Fashion Show last week he would probably need a Place of Entertainment Permit.

Commissioner Meko stated it was his understanding that when Mr. Ryker was informed the Entertainment Commission had voted to begin proceedings for the possible suspension of his place of Entertainment permit.

he voluntarily closed down.

Mark Renne stated he did not believe that Mr. Ryker had been before the Commission. He added he was the only one that represented him and he never said they He was going to voluntarily close down. He added he said he would be doing some sound attenuation and there would be nothing that would disturb the neighborhood. He added in order to keep the liquor license active they had to open once every two weeks.

Commissioner Meko asked for clarification from staff on the Commission's understanding of the status of the Place of Entertainment Permit and the Commissions request that there be a hearing on the possible suspension of the permit.

Bob Davis stated it was the understanding of the Commission and staff' they were going to stop operations. He added secondarily they have turned over all the information on Studio Z. to the City attorney Code Enforcement. He added they have requested records from the police department to determine the way to move forward towards a suspension hearing.

Commissioner Meko asked was there any action that could be taken by staff to expedite the hearing or possible suspension of the permit.

Bob Davis stated he would talk to the City Attorney.

Scott Dudley stated in the July 18, 2006 Meeting Commissioner Joseph asked staff to consult with the city attorney about 12 Galaxies, but information flow from Bob Davis has almost been nonexistent since then. He added two months later, the commission is still apparently waiting for various updates. He added by dragging its feet for 1.5 years, and the commission is doing a disservice to the city by not taking responsibility for the issue. He added the commission has given the impression that it wasn't interested in neighborhood complaints, and even Commissioner Joseph implied in July that she doesn't agree with the noise law. He added since then, the neighbors had to try to solve the problem themselves through construction and litigation and multiple neighbors won judgments against 12 Galaxies. He added the commission makes SFDBI and the courts seem fast by comparison. He added if the commission doesn't want to be trifled by neighborhood noise issues; it should say so, stop pretending and take responsibility for its actions.

Commissioner Joseph asked if Vajra Granelli's had been out to 12 galaxies and what he discovered with his subsequent sound test of the venue.

Vajra Granelli stated he was out at 12 Galaxies on September 2, 2006 and September 17, 2006. He added on September 2, 2006 he arrived at 11:20 P.M. and the sound check was within its established limits, which was 91 to 94.5 dba.
He added on September 17, 2006 he arrived at 1:15 A.M. and the readings were between 89 and 92.1 dba on the main floor. He added he visited the club in august and during his visit the sound has been either below the establish limit or right at the limit.

Commissioner Joseph asked for clarification whether or not the club was in violation based on his readings.

Vajra Granelli stated at the nights he was there they were not in violation.

Commissioner Lorin asked what were the readings outside of the club during his visit?

Vajra Granelli stated the front door readings were both in the 70's. He added the ambient in the neighborhood was so high that the readings were conflicted on the outdoor.

Commissioner Lorin asked from his readings how he knew what the neighbors were hearing directly from the club.

Vajra Granelli stated unless he was in the units if the neighbor he would not be able to get the readings. He added his instructions were to make sure the readings inside were at the established limit, which was the limit

that was set with the neighbors and Mr. Dudley and his units.

Bob Davis stated the process for establishing the limit did go into the specific units until there was no audible sound and that was the level that was set. He added there was an agreed upon level and they have continued to send Vajra back to the club without notice to make sure they maintain the level that was agreed upon by themselves and the neighbors.

Chair Shlain stated he was sorry that Mr. Dudley felt the commission was not at work. He added as he could here the commission had been at work and Vajra had been out to 12 Galaxies twice in this month. He added they have held multiple hearing to try to appease the neighbors. He added if he was still having complaints Mr. Granelli could come to his residents and take a sound check again and if they were missing something they wanted to figure that out and address it specifically to his unit as best the commission could.

2. REVIEW AND APPROVAL OF MINUTES OF June 20, 2006 and August 15, 2006

Commissioner Leong asked to be excused from the vote of the minutes of June 20, 2006 because he was not present.

Chair Shlain sated stated the June 20, 2006 meeting was attended by only four commissioners and since Joseph Pred was not present at tonight's meeting the minutes would have to be continued.

Commissioner Meko stated a place of entertainment was required for dancing.

Public Comment
No public comment.

Commissioner Meko move to continue the minutes of June 20, 2006
Commissioner Lorin second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Lorin, Commissioner Alan, Commissioner Joseph Commissioner Leong and Commissioner Shlain
NOES - None
ABSENT - Commissioner Pred

Public Comment
No public comment.

Commissioner Leong move to continue the minutes of August 15, 2006
Commissioner Joseph second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Lorin, Commissioner Alan, Commissioner Joseph Commissioner Leong and Commissioner Shlain
NOES - None
ABSENT - Commissioner Pred

3. Nominations for and election of President and Vice-President of the Entertainment Commission for the period July 2006 to June 2007.

Public Comment
No public comment.

Commissioner Lorin nominated Jordan Shlain for president
Commissioner Meko second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Lorin, Commissioner Joseph Commissioner Leong and Commissioner Shlain
NOES - Commissioner Alan
ABSENT - Commissioner Pred

Commissioner Alan nominated Joseph Pred for vice president
Commissioner Joseph second the motion.

VOTE:
AYES - Commissioner Joseph Commissioner Alan Commissioner Shlain
NOES - Commissioner Leong Commissioner Meko Commissioner Lorin
ABSENT - Commissioner Pred

Vote tied three to three.

Commissioner Leong nominated
Commissioner Meko for vice president
Commissioner Shlain second the motion.

VOTE:
AYES - Commissioner Meko Commissioner Shlain Commissioner Lorin Commissioner Leong
NOES - Commissioner AlanCommissioner Joseph
ABSENT - Commissioner Pred

Discussion regarding venues in the Castro and South of Market, under the control of Greg Bronstein,to discuss status of permits.

Chair Shlain sated it was regarding Jet located at 2348 Market, fire health, electrical and noise. He addec Vajra Granelli has done preliminary visits and staff has heard from one neighbor. He added the other venue was Sneaky Tiki located at 1582 Folsom which still needed building and had recent neighbor complaints. He added 456 Castro the Barr at Castro was pending fire, health and electrical. He added the Transfer located at 198 Church was pending fire and health, electrical and the conditional permit has expired. He added the Hush Hush Lounge located at 496 14th Street was pending fire, health and noise and there were numerous on going complaints. He added those were the issues at stake and the commission thought it was important to bring Mr. Bronstein and his representatives to the commission to get an explanation of what was going on with the venues.

Jeremy Paul a permit consultant stated he was speaking on behalf of Greg Bronstein. He added there hac been substantial change in the status of several of the permitting matters and looked forward to sitting dowr with staff and reviewing all of the new information to provide to staff. He added in the past Mr. Bronstein had operated his business in a way to support his core mission, which is to provide great entertainment venues and restaurants and support a dedicated and long serving staff. He added he had long overlooked creating a separate in within his organization for addressing the permit needs for each of his venues and for too long relied upon his bar managers to oversee the contacts with the city agencies. He added Mr. Bronstein brought him in and since he has been involved they have managed to get health department signed off on all of the venues. He added they were working with the building and fire to get the rest of them resolved. He added it was his hope for them to continue operating where they were. He added the Hush, Hush was no longer in operation and it was the most problematic from a neighborhood stand point from the venues on the list and it was being sold.

Commissioner Joseph asked they had health signed off on Jet, bar on Castro and Transfer? She added were there any other sign offs besides building.

Jeremy Paul stated they had sign offs on the Transfer and the Jet had an application but no sign offs and the Bar on Castro was signed off this past summer. He added there were sign offs on building for transfer and Jet.

Chair Shlain stated the Entertainment Commission took very seriously the ability for them to operate in ar environment were their permitees are permitted. He added it made a mockery of the process as well as the Commission being there to make sure everything was lined up. He added he was glad they were in the mix and were working diligently to get everything signed off. He added it behooved Mr. Bronstein given that he was a household name in San Francisco with his venues and had a pretty good reputation and he would not want it to be tarnished in any way with the commission having to take action we respect to his clubs. He added he would like to see progress reports at every commission meeting until all of the things were done and he planned on putting Mr. Bronstein's name on every agenda item the commission had to find out what the updates were on all of the permits were until they were done. He added if he were in good faith of getting all of the things done he would be done before he knew it and the Commission could close the door on the issue.

Commissioner Lorin asked if there was still entertainment and the remaining four properties.

Jeremy Paul stated there was no entertainment at Sneaky Tiki but they had their sign offs in order to make use of the permit.

Commissioner Lorin stated if they did not have the permit they could have entertainment but they could still run a restaurant and bar. He added there should be no entertainment at the Jet, the Bar on Castro and the Transfer until they got their permits.

Jeremy Paul stated they were doing everything they could to come into full compliance. He added all of the venues had been traditional entertainment venues and the change of ownership at several of them had not eventuated any change in the structure or alteration to the issues at stake. He added the operations have continued as they were prior to a change in ownership. He added they were pursing the proper licensing for the entertainment that went on there. He added the remaining sign off for Jet was health and they were waiting an inspection.

Commissioner Lorin stated the commission was not trying to put them out of business they had bars and restaurants and by law they could operate the bar and restaurants. He added by law they could not continue with entertainment.

Jeremy Paul stated the understanding they were preceding on was they operated within the permitted use at the location they were operating and pursing the proper permitting with all speed.

Commissioner Lorin asked how many of the conditional grants had expired.

Jocelyn Kane stated they got extension letters from the applicant asking to extend their conditional grant.

Chair Shlain stated Mr. Bronstein had been an operator in the city for some time and due to what sounded like poor management let some things fall through the cracks. He added he had hired someone to fix the problem as fast as he could. He added in good faith and the spirit he was here to rectify all his problems. He added if the Commission felt they should potentially jeopardize his entire operation then he would entertain that but also look at the spirit of what Mr. Bronstein was trying to do.

Commissioner Meko stated he heard from a good many of neighbors that there was entertainment going on at the Sneaky Tiki that were being called private parties. He
added regardless events were occurring on Friday and Saturday night at Sneaky Tiki, which generated a great deal of noise. He added he has gone by in the day when they were preparing for evening events.

Jeremy Paul stated his understanding was they were having events twice a week events they have been having

with no use of DJ's.

Vajra Granelli stated his report findings were on August 19, 2006 the Sneaky Tiki was open and DJ's were playing. He added September 2, 2006 there was no DJ playing and there was music and the restaurant tables had been moved out. He added on September 16, 2006 it was the same.

Commissioner Meko asked if dancing occurred.

Vajra Granelli stated dancing occurred on all three days.

Commissioner Meko stated a place of entertainment permit was required for dancing.

Commissioner Joseph stated because it was not an action item they should open it up to public comment and re-agendize it as an action item on the next agenda.

Commissioner Lorin stated could he give an estimate of when they would be totally complete.

Jeremy Paul stated within weeks and most were done.

Public Comment

Emery Mandel stated he was a patron of a number of Mr. Bronstein's establishments. He added his impression of Mr. Bronstein was professional and responsible operator. He added when he first heard the stories about Sneaky Tiki he had no idea or couldn't imagine he was involved with it. He added because the Bar on Castro and some of the other places he was involved with all seemed to be excellent neighbors and good contributors to there neighborhoods. He added there was one reason he would not go to Sneaky Tiki because he was not into hip-hop and the other was there was still a sound issue there. He added he had heard the stories from the base resignation in the building. He added he would have thought He added for someone who had been doing this for such a long time he would have thought he would have had someone look out for him and it was good that he had someone now.

Ms. Delman stated she was a private resident of 1586 Folsom Street and the building of Sneaky Tiki was located at 1582. She added she had been there for 14 years. She added there had never been a problem and if there was she would let the bartender know and she was a patron of all of the places and they were considerate and turned the music down. She added starting July 22, 2006 was the first time she encountered incredibly cranked up music that was so loud the entire building was shaking. She added she went down stairs to see what was going on and asked for the manager. She added the bouncers were not aware anyone lived there. She added the manager offered her coupons to one of the restaurants that were owned by Bronstein and she mentioned it was not relevant. She added she called her landlord and was told several other people had called her and the police that night. She added she was asked to monitor the situation. She added on every Saturday night there had been events and they have called the police numerous times. She added she received an email from Jocelyn stating the owner was doing private events and if it was not the case please let her know if there was a sound problem. She added there were flyers posted and flyers in the window indicating to book private parties please call.

Jocelyn Kane stated in response to the email she talked to Mr. Granelli, which is why they had documentation and a couple of visit by him to investigate.

Chair Shlain stated Mr. Bronstein was aware the commission would be keeping an eye on his operations for the next two weeks or month until all the issues were sorted out. He added if she was having issues with sound she should contact Mr. Granelli and have him come out and document it.

Commissioner Alan stated the laws and the permit process and the reputation of the Commission stood on their ability to make sure that the permit holders abide by the process and by the law. He added it was that law and process designed to keep the very thing they were hearing tonight from happening. He added the commission extended their apologies and to the best of the commission's ability they constructed a process

were by someone was not suppose to start operating until all their permit requirements were met. He addec when someone violates that they slap the face of the Entertainment Commission and in doing so harm the relationships they tried to build with people like her. He added it should be put on the agenda and give Mr Bronstein two weeks to get it cleaned up and if he operates within those two weeks it would be seen as a violation that would be brought into consideration when his permits were granted. He added if you apply foı a permit you follow the rules you get your permit you follow the rules you get your permit and then you operate. He added the Commission had enough problems with people who already had a permit and trying tc keep them operating within the law.

Commissioner Meko stated Mr. Bronstein neighbors should not have to be awake at 12 midnight, or 2:0C A.M. to deal with the fact that he was operating without proper permits and outside the parameters allowed by the permits.

Public comment closed.

3. HEARING AND POSSIBLE ACTION REGARDING APPLICATIONS FOR PERMITS UNDER THE JURISDICTION OF THE ENTERTAINMENT COMMISSION

a) Rovner, Izir, dba "Russia House," 2011 Bayshore, Place of Entertainment.

Jocelyn Kane stated Mr. Rovner has applied for a place of entertainment to primarily operate as a Russiar restaurant and use the Russian hall for events. She added Planning has indicated it was a permitted use or both the first and second floor. She added Ingleside sent conditions, which the applicant is, aware of anc recommended approval. She added the building was slated for demolition in three years, and was the window of opportunity to do something with the venue. She added staff recommends a conditional grant.

Commissioner Alan stated the security plan as submitting stated the owner would hire security guards through a service and inquired what service he would use. He added did his security people carry a guarc card or have they been trained.

Izir Rovner stated he would have two security people at every entertainment event.

Commissioner Alan suggested they strike the word uniform from the conditions to give the permit holder the greatest ability to manage the crowds as he saw fit. He added the second sentence of the conditions No. 1 should be the responsibility of the bartenders to check ID's and not security because it set an unfair trap for his bartenders.

Commissioner Meko stated he echoed Commissioner Alan's points. He added to set aside the police conditions and apply the Good Neighbor Policy.

Public comment
No public comment.

Commissioner moved to set aside the conditions from SFPD and apply the Good Neighbor Policy Commissioner Leong second the motion.

VOTE:

AYES - Commissioner Joseph Commissioner Alan Commissioner ShlainCommissioner Leong Commissioner Meko Commissioner Lorin
NOES - None
ABSENT - Commissioner Pred

Jocelyn Kane requested that the commission separate item B from the consent calendar.

Public comment
No public comment.

Commissioner Joseph moved to separate item B from the consent calendar Commissioner Leong second the motion.

VOTE:

AYES - Commissioner Joseph Commissioner Alan Commissioner ShlainCommissioner Leong Commissioner Meko Commissioner Lorin

NOES - ABSENT - Commissioner Pred

b) Nguyen, Hai, dba "TL Bida," 292 Turk Street, Billiard Parlor.

Jocelyn Kane stated the applicant came in to permit five pool tables, however staff requested to continue the item. She added late today she received a letter from commercial neighbors indicated the notice was not posted adequately and in addition there was a disapproval from Tenderloin station. She added based on those two issues she felt there was some work to do before they could move ahead and re- agendize the item for the next meeting.

Public comment

No public comment.

Commissioner Joseph to set aside the Commissioner Lorin second the motion.

VOTE:

AYES - Commissioner Joseph Commissioner Alan Commissioner ShlainCommissioner Leong Commissioner Meko Commissioner Lorin

NOES - None

ABSENT - Commissioner Pred

c) Cazares, Jose, dba "Bonanza Restaurant," 16 Toland, Billiard Parlor.

Jocelyn Kane stated the applicant applied for one pool table in a restaurant bar that did not operate past 10:00 P.M. located in an industrial area. She added planning had no problems and no limits on hours of operation. She added she had not got a response from Bayview station as of today.

Public comment

No public comment.

Commissioner Alan move to conditionally approve Commissioner Lorin second the motion.

VOTE:

AYES - Commissioner Meko, Commissioner Lorin, Commissioner Alan, Commissioner Joseph Commissioner Leong and Commissioner Shlain

NOES - None

ABSENT - Commissioner Pred

4. EXECUTIVE DIRECTOR REPORT

Bob Davis stated the North beach situation reached a head this past weekend and they had representatives from the ABC and inspector Dave Falzon from Vice with four of his officers, Fire and Juvenile Probation. He added they had the Sheriff's van and four solos, which were helpful. He added the results of the action on Broadway were 40 citations issued by the Police Department and 12 arrests for alcohol violations at Velvet Lounge, Impala and Zebra Lounge. He added the violations were for serving the imbibed at the Zebra Lounge and Impala and minors at Velvet. He added there were three citations given for serving alcohol after-hours on Grant at Maggie McGary's. He added motorcycle officers issued 82 citations. He added when cars were stopped people left. He added many of the younger people who came in cars left and Broadway was not as crowded and the streets were reasonable clear. He added there were few party buses that came. He added on an ongoing basis there would be intensification for the coming weekend leading up to Fleet

Week. He added one of the concerns were with the level of enforcement if it would bleed over to Southerr station and he would meet with captain O'Leary tomorrow. He added they sent officer Crisp and Vajra tc Sutter Street were there were some issues. He added 4th Street had calmed down to some extent and Jillian's had adhered to the request of more closely screening the promoters they were using. He added the assistance from Captain O'Leary and the 10 B officers there was better control.

Commissioner Joseph stated she was out on Friday night and the amount of enforcement was awesome. She added they knew the multitude of problems was mostly on the street with kids. She added they had to make sure while clearing the streets they did not kill the businesses.

Chair Shlain stated as long as they had the rest of city government working to address the problem hopefully the information will be served to the commission and if there were bad actors and clubs that continued to serve the drunks they would come before the commission and have their day. He added it was time to take very serious the bad actors were causing problems for the good guys and the problem historically was the Commission had not got any good information.

Commissioner Joseph suggested that the Good Neighbor Policy should be modified to require permit holders to attend LEAD training.

Commissioner Meko stated with regard to the 11th street corridor the 10B program to his knowledge seemec to be working very well with regard with the attractive nuisance and things had calmed down on the street. He added his concern with the location historically they had not had any other location in the city and county of San Francisco that had been a concern to the commission longer than Studio Z which was a subject of public comment at the first commission meeting in 2003 and continued to be a problem. He added while they waited for the City Attorney's office to come finish with their preparation on the hearing and possible suspension what tools did the commission have at their disposal if Studio Z opened again and generatec complaints from the neighbors were there any enforcement actions that could be taken on the spot so the neighbor did not have to continued to remain awake.

Bob Davis stated every weekend Vajra Granelli went every weekend to try and assure that with the assistance of Captain O'Leary had the ability of a officer go with him with the ability to cite the venue. He added if it was deemed they were not unruly house they did not have ability to shut them down on the spot.

Commissioner Lorin stated it was a decision of law enforcement and not the commission. He added if they felt it was a continuing offense they could make the determination to book the sound equipment as evidence.

Vajra Granelli stated a lot of his time has been used on Broadway and the central district. He added lately he had been catching venues that were operating without permits. He added a lot of them were new owners anc not aware and he had been speaking with them and bringing them in to start the permit process which hac been successful. He added he was continuing to work with the clubs on 11th Street.

Public Comment

Al Russek with Enrico's on Broadway, stated he witness what went on Broadway and thought it was remarkable. He added a year a two ago there might have been a few businesses that would have stepped up and say they had a problem with the police presence. He added that were it has gotten to where it was now there would not be that descent. He added what they were talking about was access to the business or Broadway, safe passage for the residents on North Beach and hope it continued.

Emery Mandel stated the law enforcement effort on Broadway should be considered for the south of Market 11th and Folsom area. He added he saw a poster in the window of Studio Z indicating a change of ownership in the context of their alcohol license. He added if a venue was operating outside of their restrictions of their ABC license and was that information something the commission had interested in?

Commissioner Joseph stated it was not a change of ownership a transfer from one entity to another entity. which was the same person. He added if he wanted to protest he would have to go to the ABC.

Chair Shlain stated the commission had no jurisdictions over the ABC, the commission was interested and they could appeal to them but he would have to go to their meetings to effect change on a state level.

COMMISSIONER COMMENTS AND QUESTIONS.

Chair Shlain thanked the Commissioners for having faith in him to be president of the Entertainment Commission this year and hoped to do well by the Commission again as well as the venue and neighbors. He added he wanted to rethink the Committee structure and thought it was a failed strategy last year and he had a couple ideas that he would announce at the next meeting. He added he would like to have the committee meetings immediately prior to the full commission meeting to get people involved in the committees that had not been involved in the past. He added the commission has come a long way in three years and next year would be fruitful and make the city a more vibrant place for responsible entertainment.

Commissioner Alan stated there was a magazine article that appeared in this month's National Nightlife magazine called Karma. He added it highlighted club crash. He added he brought it up because it was important to remember the one part of the commission's mission statement, which they had not done that well which was the promotion part of the commission's mandate. He added Josh Wolfe was back in jail and he was hosting a benefit for his legal defense fund this Thursday. He added the Love Fest would occur this weekend, which was the new incarnation of the Love Parade music festival followed by many after parties. He added it was important the commission the ways in which they could take some of the reoccurring negative themes they were hearing around entertainment and take a fresh look at how they might assist permit holders on becoming good neighbors and good citizens so it did not put the Entertainment Commission in the task of defending them on constitutional grounds when they needed to be defended that they were a good part of the city. He added Halloween was not brought up on the director's report and wanted to know if they were still on track from the last report on Halloween.

Bob Davis stated they were still on track and Martha Cohen was coordinating the city services and Commissioner Joseph was coordinating entertainment and they were securing a flatbed truck that will be used as a stage and getting a sound system donated.

5. **DISCUSSION AND DIRECTION TO STAFF TO PLACE ITEMS ON THE AGENDA FOR FUTURE ENTERTAINMENT COMMISSION MEETINGS.**

Greg Bornstein will be added to the October 3, 2006 meeting as an action item.

ADJOURNMENT. 7:02 P.M.

Respectfully submitted by Crystal Stewart.

Entertainment Commission
City and County of San Francisco

Notice and Agenda for Regular Meeting
Tuesday, October 3, 2006 at 5:00 P.M.
Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102

MEMBERS OF THE COMMISSION

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Jordan Shlain, Chair - *Neighborhood Representative*
Audrey Joseph, Vice Chair - *Industry Representative*
Terrance Alan, Commissioner - *Industry Representative*
Bowman Leong, Commissioner - *Urban Planning Representative*
Bruce Lorin, Commissioner - *Law Enforcement Representative*
Jim Meko, Commissioner - *Neighborhood Representative*
Joseph Pred, Commissioner - *Public Health Representative*

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CALL TO ORDER AND ROLL CALL

1. PUBLIC COMMENT:

   Members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission. With respect to agenda items, members of the public may address the Commission for up to three minutes at the time such item is called.

2. **REVIEW AND APPROVE MINUTES** of June 20, 2006 and September 19, 2006. [**Action Item**]

3. Discussion regarding venues in the Castro and South of Market, under the control of Greg Bronstein, to discuss status of permits. [**Discussion**]

4. Discussion and Possible action regarding the Entertainment Commission's participation on Halloween 2006 in the Castro. [**Action Item**]

5. **HEARING AND POSSIBLE ACTION** regarding applications for permits under the jurisdiction of the entertainment commission. [**Action Item**]

   a. **Nguyen, Hai, dba TLBida, 292 Turk Street, Billiard Parlor (5 tables).**

ENTERTAINMENT COMMISSION
1 DR. CARLTON B. GOODLETT PLACE, ROOM 453 SAN FRANCISCO, CA. 94102
(415) 554-6678 ■ (415) 415 554-5793 ■ Fax (415) 554-7934

b. Somer, George, dba Velvet Lounge, 443 Broadway, Place of Entertainment.

c. Cowan, Les, dba Cafe Royale, 800 Post Street, Place of Entertainment.

6. **REPORT FROM THE EXECUTIVE DIRECTOR**, Bob Davis report: Update on North Beach, 4th Street Corridors and SOMA. Inspection report from Sound Technician Vajra Granelli's on recent venue activities. **Discussion]**

7. **COMMISSIONER COMMENTS AND QUESTIONS.**

8. Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings. **[Action Item]**

ADJOURNMENT.

Please see attached for the Entertainment Commission's interim policy on accessibility to its meetings.

DISABILITY ACCESS

Room 406 is wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #42 Downtown Loop, the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI services, call 923-6142. Large print agendas are available. Sign language interpreters are available upon request by contacting the Entertainment Commission Office at least two working days prior to a meeting. Individuals with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities should also call the Entertainment Commission Office. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. A TDD phone for the Entertainment Commission is available on request.

The ringing and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Pleased be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

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exist to conduct people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.ci.sf.ca.us/bdsupvrs/sunshine. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact:

Sunshine Ordinance Task Force
Donna Hall, Administrator
City Hall, Room 409
1 Dr Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Office: (415) 554-7724
(Fax): (415) 554-7854
(E-mail): Donna_Hall@ci.sf.ca.us

WRITTEN COMMENTS

Persons attending the meeting and those unable to attend may submit written comments regarding the subject of the meeting. Such comments will be made part of the official public record and will be brought to the attention of the Commission. Written comments should be submitted to the Entertainment Commission c/o Jocelyn Kane, Entertainment Commission, Room 453 City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

"Explanatory Documents: Copies of explanatory documents listed in this agenda, and other related materials received by the Entertainment Commission after the posting of this agenda, can be obtained during normal office hours at the Entertainment Commission office on the 4th floor of City Hall, 1 Dr. Carlton B. Goodlett Place, Room #453, San Francisco, CA 94102, and also, to the extent possible, will be available on the Commission's website at http://www.sfgov.org/entertainment."

Entertainment Commission

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October 3, 2006

ENTERTAINMENT COMMISSION

City andCounty of San Francisco

MINUTES OF THE

October 3, 2006
City Hall, Room 406
Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

COMMISSIONERS

Present
Jim Meko
Jordan Shlain
Bruce Lorin
Bowman Leong
Terrance Alan
Audrey Joseph

STAFF

Present
Robert Davis, Executive Dir.
Jocelyn Kane and Crystal Stewart

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1. CALL TO ORDER

The Commission Chair called the meeting to order at 5:10P.M.

ROLL CALL

Bob Davis called the Roll.

Present at the meeting were Commissioners Jim Meko, Jordan Shlain, Joseph Pred Terrance Alan and Bruce Lorin

Absent at the time of roll call were: Audrey Joseph.

Staff present was, Robert Davis, Jocelyn Kane and Crystal Stewart.

1. PUBLIC COMMENT

No public comment.

2. REVIEW AND APPROVAL OF MINUTES OF JUNE 20, 2006 AND SEPTEMBER 19, 2006

Chair Shlain stated they would place the approval of the June 20, 2006 minutes towards the end of the meeting.

Public comment
No public comment

Commissioner Lorin moved to approve the minutes of September 19, 2006
Commissioner Leong second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Lorin, Commissioner Pred Commissioner Leong and Commissioner ShlainCommissioner Alan
NOES -
ABSENT - Commissioner Joseph

3. **Discussion regarding venues in the Castro and South of Market, under the control of Greg Bronstein,to discuss status of permits.**

Jocelyn Kane stated there was a memo in the commissioner's package on the locations and what remained outstanding.

Bob Davis stated there were a couple of items the commission should be aware of were a policy with the Fire Department that allowed you to make changes on the applications as it relates to the occupancy load. He added they requested a new policy be enacted which required you to fill out a new application if there were changes in the applicants occupancy load which had caused them some delays in the process.

Jocelyn Kane stated fire seemed uncomfortable with the occupancy number in the application and they want a revision of application and clarification that makes it clear.

Commissioner Alan stated if they were to add the words owner or operator estimated occupancy it would take care of the problem.

Commissioner Lorin stated they did not have a permit yet, and sound should be rechecked until they comply with the original sound check.

Jeremy Paul stated he was speaking on behalf of Greg Bronstein. He added they spoke with Fire Chief Hayes White and were trying to work out a solution to an acknowledged problem with longstanding application procedures. He added they were well on their way to solving the fire issues on all locations. He the operations at Sneaky Tiki had ceased and there were no future events planned there and did not plan to open up as a restaurant at this time. He added there were several events that took place were the speaker were brought in and now have been removed from the site. He added they would clear the outstanding issues with the site before any further events were planned.

Commissioner Lorin asked if entertainment was continuing at locations 2348 Market, 456 Castro and 198 Church and 496 14th street.

Jeremy Paul stated there was no further operation at the 14th street and was in the process of being transferred. He added there was entertainment at the other locations. He added it was their continuing locations were operations as they were doing them now had taken place for many years. He added the Castro legislation was giving them the opportunity to correct the longstanding disjoint in the process.

Bob Davis stated the Castro venues were a part of the venues that were approved that had been operating without permits. He added the Commission moved to permit them and gave them opportunity to continuing operating while the permit process was undertaking.

Commissioner Alan asked what was the status of Jet, with fire health and electrical.

Jocelyn Kane stated Jet was close to obtaining paperwork for the Fire Department.

Jeremy Paul stated health inspector has been through and is ready to release it upon the fire department approval. He added the final electrical inspection was done today and the building department has signed off.

Jocelyn Kane stated Sneaky Tiki needed a final building signoff and a retest of the sound. She added the bar on Castro needs fire for the same issues as previously and electrical was done today. She added the same inspections were pending for the Transfer.

Public comment
No public comment.

Commissioner Alan moved to continue the item Commissioner Meko second the motion.

VOTE:

AYES - Commissioner Meko, Commissioner Lorin, Commissioner Leong and Commissioner ShlainCommissioner Alan

NOES - None

ABSENT - Commissioner Joseph and Commissioner Pred

Discussion and Possible action regarding the Entertainment Commission's participation on Halloween 2006 in the Castro.

Bob Davis stated the item was requested by Commissioner Joseph.

Commissioner Lorin stated for the record that Halloween 2006 was being headed up by the Mayor's office and not by the Entertainment Commission.

Commissioner Alan stated legislatively the Entertainment Commission has the mandate for the planning and execution of Halloween in the absence of a recognized promoter. He added this year there was a presence of a bonafide promoter from the Mayor's office and Martha Cohen taking the responsibility. He added the entertainment no longer had to take that role. He added the Commission recognized and appreciated the Mayor's office for taking it on.

Public comment

Mark Rennie stated he would caution the commissioner and there were people watching it thinking it was a train wreck happening. He added that the Commission should write a letter to the Mayor's office and copy the City Attorney thanking them for taking the lead and mention legislatively they were doing it and thank the Mayor's office for taking the duty.

Barry Taranto stated Halloween sounded like it was not an official event and ever year it had always been something, He added he had concerns that they did not want them bringing people to the event it was going to happen. He added he hoped they would work it out so that cabs could be available to take people out as quickly as possible. He added he hoped they would allow a space between 19th and Castro and 16th and Church streets.

Commissioner Alan move to continue the item with the authorization to direct staff to write a letter of appreciation to the Mayor's office and Commissioner Meko second the motion.

VOTE:

AYES - Commissioner Meko, Commissioner Lorin, Commissioner Leong and Commissioner ShlainCommissioner Alan

NOES - None

ABSENT - Commissioner Joseph Commissioner Pred

HEARING AND POSSIBLE ACTION REGARDING APPLICATIONS FOR PERMITS UNDER THE JURISDICTION OF THE ENTERTAINMENT COMMISSION.

a) Nguyen, Hai, dba TLBida, 292 Turk Street, Billiard Parlor (5 tables).

Jocelyn Kane stated the applicant was before the Commission again from two weeks ago applying for five pool table permits. She added at the original hearing there was and indication that the posting may have not been done properly and the item was continued and the applicant reposted. She added additional they received a recommendation of denial from the police department recommendation due to whether the applicant had a lease or some letter of intent for the location from the building and the issue may be resolved with the applicants today.

Douglas Lee stated he was the attorney for Mr. Hai Nguyen. He added most of the issues had been resolved and they had a copy if their lease and the reposting issued had been resolved. He added with regards to the disapproval from the Tenderloin police department they had concerns that the venue may turn into a gang hang out or gambling operation. He added that was not the case and the prior business was a billiard parlor and the prior owners shut it down because it was not lucrative and the area was a lot worse some years ago He added the premise was directly diagonal from the police department. He added if a business was opened it would change the atmosphere. He added his client has no intent to turn venue into a elicit activity venue.

Commissioner Lorin asked what did the applicant intend to do to prevent gang activity.

Douglas Lee stated his client was not in the business to engage in that activity to encourage it. He added they would inform the local police department if there were problems.

Commissioner Lorin asked what type of security the applicant would have on the premises.

Douglas Lee stated the owner would be on site during the hours of operations.

Commissioner Alan he was not familiar with the Billiard Parlor business and asked if the applicant coulc explain how their business would make money.

Douglas Lee stated the applicant would charge $8.00 per hour for the use of the pool tables. He added the applicant would make money off of coffee and food items.

Commissioner Meko recommended a continuance because the lease was a central issue.

Public Comment

Daniel Hald stated he was with Hospitality House for his community center. He added they had concerns about the venue and the process not being very transparent or engaged any community input for the process of the billiard parlor. He added there was already a lot of vice traffic on the corner and they have worked really hard with law enforcement to curb it. He added it would increase loitering in the neighborhood and the applicant did not seem to have a great plan on how they were going to secure their venue.

Teresa Howe stated she worked with the Community Housing Partnership and their office was adjacent to the building hall. She added there would be a potential increase problem of more loitering, smoking and ar increase of concentration of people hanging out on the corner. She added they were not contacted by the applicant about their business plans.

Public comment closed.

Commissioner Joseph arrived 5:44 P.M.

Commissioner Leong stated that they should invite Officer Torres to attend the next meeting for questions.

Commissioner Meko moved to continue and Commissioner Lorin second the motion that the applicant come back with a security plan with Commissioner Alan friendly amendment of the applicant to have a basic business plan on how they plan to pay their bills.

VOTE:

AYES - Commissioner Meko, Commissioner Lorin, Commissioner Pred Commissioner Leong Commissioner Shlainand Commissioner Alan

NOES - None

ABSENT - Commissioner Joseph

b) Somers, George, dba Velvet Lounge, 443 Broadway, Place of Entertainment.

Jocelyn Kane stated they were the new owners of the Velvet Lounge. She added the operation would remair the same and after conversations today they would change the name. She added they would continue witl Shaw security. She added with experience of their own they have decided to not use outside promoters planning stated it was an intended use. Staff recommends a conditional grant.

Bob Davis stated it was one of the establishments that were sited by the ABC and the new applicant woulc serve a 30 day suspension. He added they believed the conditions of no outside promoters Lead training anc a firm desire to change the management style would be a positive thing and helpful to the 400 block of Broadway. He added the citation from the ABC was issued to the previous owner but carried over to the new

owners.

Officer Crisp stated the comments on record were notes and talking points from the Captain that he wanted tc the applicant about and wanted to reserve his recommendations until he could talk with them.

Commissioner Lorin asked what problems they were experiencing with the establishment.

Officer Crisp stated he did not feel there were a lot of problems with the venue but mores so it has been witl the use outside promoters and the previous owners were tired and at the end of their cycle and they were no paying attention and had other concerns and was not getting the attention that was needed. He added he was glad to see that Shaw security was staying there and was a very good security company. He added the Captair wanted to sit down with the applicants and go over all the concerns and to get them started on the right foot.

George Somers stated they were informed about the process after they started the ABC process. He addec they were not running the club but it was under their temporary license.

Officer Crisp stated it was a good start for them and it could be the new place to be on Broadway.

Chair Shlain stated the applicant had a great opportunity to do something at the location and people would be watching and if they run a good responsible business it would a blessing for the neighborhood.

Commissioner Lorin stated had the applicant taking procession of the building.

George Somers stated they were there as acting managers. He added they would have in-house promotions and the crowd had changed. He added business had slowed down but there were no problems and no fights. He added they have enforced a strict dress code.

Vajra Granelli stated he observed over the last few weeks that they have erratically changed thei programming and the business had slowed down considerably. He added what they were doing now was a good foundation.
Commissioner Meko asked the applicant if he would oppose to have it written into their conditions to no have outside promoters.

George Somers stated they did not mind as long as they could do outside parties such as charity events.

Commissioner Leong asked when they would close escrow.

Greg Somers stated they were waiting on their ABC license and their Entertainment license on hold it woulc be within a week and estimated at the end of the month.

Public comment

John Wood with the San Francisco Late Night Coalition stated he had reservations about putting conditions ir the permit that read no outside promoters and was not sure it was legal. He added most clubs used outside promoters and they were not the problem it was the bad outside promoters and they could work with gooc outside promoters.

Public comment closed.

Chair Shlain stated staff should talk to the City Attorney if they were going to append the condition on the permit. He made a friendly suggestion not to include it.

Commissioner Meko stated the police were recommending no outside promoters and the applicant has agreec to no outside promoters. He added he could understand how it could be fine tuned by the City Attorney. He added if they were to drop it in the motion the commission was abrogating responsibility to look seriously a the case before them. He added they could not continue to rely on simply on the Good Neighbor Policy wher

they had other issues that were relevant.

Commissioner Meko stated he would move to conditionally grant the permit with the proviso they discuss talking to the City Attorney about attaching a condition to limit outside promoters.

Commissioner Lorin stated he would love to support the Police Department but he had a problem with limiting outside promoters. He added the applicant said he would not use outside promoters. He added it was not right to make it a condition on their permit. He added it would create an unfair competition if only new permits were told they could not have outside promoters and old venues could have outside promoters.

Commissioner Alan stated as a 25 year veteran as an outside promoting industry he could not support the motion.

Commission Pred stated previous problems with the previous permit holder in the same venue should not dictate limitations for a new owner regardless of the statements for or against possible conditions. He added he could not support it because it was going down the wrong road.

Chair Shlain stated he felt with his direct involvement with the North Beach Task Force he understood the level of scrutiny they would be under. He added he could not support because he know the other side of what would happen.

Officer Crisp stated to his knowledge they were talking points from the Captain and by no means to be conditions the Captain was imposing.

Commissioner Meko stated with that understanding he would withdraw his motion.

Commissioner Meko moved to conditionally grant the permit with the proviso they discuss talking to the City Attorney about attaching a condition to limit outside promoters Commissioner Leong second the motion.

VOTE:

AYES - Commissioner Meko, Commissioner Lorin, Commissioner Pred Commissioner Leong Commissioner ShlainCommissioner AlanCommissioner and Joseph

NOES - None

Public Comment

Robert Garcia stated he was with save our Streets Tenants and Merchants Association. He added they had to have conditions otherwise the city was totally out of control as is the permitted process. He added if they had conditions there would be certain use for certain things they applied for.

Commissioner Lorin moved conditionally grant the permit with the condition they met with the Police Department in good faith prior to an issuance of their permit Commissioner Meko second the motion.

VOTE:

AYES - Commissioner Meko. Commissioner Lorin. Commissioner Pred Commissioner Leong Commissioner ShlainCommissioner AlanCommissioner and Joseph

NOES – None

c) Cowan, Les, dba Cafe Royale, 800 Post Street, Place of Entertainment.

Jocelyn Kane stated Les Cowan purchased Cage Royale and was applying for a Place of Entertainment Permit and a Billiard Parlor permit for one pool table. She added as her memo indicated it was an ongoing concern the occupancy is 49. She added the applicant intended use was to continue as a café serving beer wine and only and include some folk music, poetry reading and spoken word and jazz to his patrons. Planning indicates it's a permitted use without restrictions. She added she did not receive a recommendation from Central

station. She added she received 11 letters in total in support of the applications and a petition with 15 signatures of opposition.

Officer Crisp stated the captain recommended a denial based upon the fact that there were some concerns raised by the community. He added he would like to see the concerns address. He added there were also concerns about occupancy, sound.

Chair Shlain asked was he aware of the recommendation and the letters of concerns and did he reach out to any of the people who complained.

Les Cowan stated he was not aware of the recommendation and he had heard there was some letters of concern from some of the neighbors. He added after assuming ownership he slipped a little note under 31 units with his number and his email on it if they had concerns. He added he was more than happy to be a good neighbor and reach out to anyone who had concerns. He added his son and partner would take leadership training.

Public Comment

Robert Garcia from Save Our Streets Tenant and Merchant Association stated he lived about 100 feet from Café Royale. He added there had been a lot of violations and they were operating the pool table and having entertainment without permits and have not controlled their lines outside. He added the building and the ceiling was not sound proof. He added they had been in violation of the ABC license. He added they continue to operate a pool table and use the mezzanine. He added they were being squeezed with venues in the area which was a working class neighborhood. He added they should not be issued a permit until sound permit is passed.

Chair Shlain stated the historic process and how they were regulated was done by the police department and now it was handled by the Entertainment Commission to manage the process. He added the commission had a sound technician and a sound test would be done and the Commission would monitor the venue.

Robert Garcia stated captain had turned the applicant down.

Bob Davis stated in order for the permit to be issued he would have to pass the sound test.

Commissioner Pred asked Mr. Cowan could he address Mr. Garcia's concerns about using the mezzanine and did he feel he was maintaining his occupancy limits.

Les Cowan stated nine people were allowed in the mezzanine as it was currently configured. He added people would go out to smoke and did not see anything that was characterized a crowd. He added he felt he was maintaining his occupancy limits.

Chair Shlain stated he should have a discussion with Mr. Garcia.

Commissioner Meko stated the commission would attach the Good Neighbor Policy to the permit. He added had there been any sound complaints or citations issued on the location.

Officer Crisp stated the applicant should maintain his occupancy level. He added to his general knowledge he did not believe there were any noise complaint.

Public comment closed.

Commissioner Lorin moved conditionally grant the permit Commissioner Alan second the motion.

VOTE:

AYES - Commissioner Meko, Commissioner Lorin,Commissioner Leong Commissioner Shlainand Commissioner Alan

NOES - Commissioner Pred

ABSENT - Commissioner Joseph

Chair Shlain stated he would like to bring item No. 2 back since there was a full quorum.

Public comment
No public comment.

2. REVIEW AND APPROVAL OF MINUTES OF JUNE 20, 2006

Commissioner Lorin moved approve the June 20, 2006 minutes grant the permit Commissioner Alan second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Lorin,Commissioner Shlainand Commissioner Pred
ABSENT - Commissioner Joseph
ABSTAIN - Commissioner Alan
EXCUSED -Commissioner Leong

REPORT FROM THE EXECUTIVE DIRECTOR

Bob Davis stated his report was a recap of Broadway over the weekend since the previous meeting the level of city forces had continued at a fairly high pace. He added there were some ABC, Vajra Granelli and officer Crisp and the Fire Department and continued to have the Sheriff's van. He added this weekend the overall corridor was somewhat quiet. He added the weekend of September 29th and 30th the city was a lot more active. He added on the 29th there were three felony arrests specific to car stops. He added there were 5 misdemeanor arrest, 7 drunken related arrest 47 moving citations and 21 parking citations and 10 tows. He added the whole enforcement effort continues. He added since the first weekend when they did have citations that were attributable to the venues there had been no citations specific to the venues and feel the venue owners have gotten the message and things were improving. He added on the 30th there was someone identified by a restaurant security guard by Stockton and Broadway with a weapon and the person was arrested. He added in SOMA there was a big weekend Snoop Dog was at Loft 11 and there was very high security and the event went well. He added Vajra was sent to some areas in the Mission with regard to sound complaints.

Vajra Granelli stated the Sheriff Van was a hit and the solos were a great thing and made a big difference. He added the beat officers were positive with the results. He added over all 11th Street corridor was doing much better and it still needed some work. He added with the closure of Sneaky Tiki it has gotten a lot better. He added 4th Street had a better handle of what had been going on in the past. He added Sake Lab should be brought in for a formal discussion.

Commissioner Alan requested that the commission receive an official report of the status of the sound problems at Sake Lab. from the sound technician. He added he stopped by 12 Galaxies this weekend and found no sound. He added there were sound test done in front of Kapp streets and there was no sound coming from the venue that he could find. He added he was finding small venues operating without Places of Entertainment. He added there were no problems with fall festivals.

d) COMMISSIONER COMMENTS AND QUESTIONS.

Commissioner Lorin complaint about non use of rest rooms in hearing room director needs to talk to city administrator.

Commissioner Pred thanked Jocelyn Kane for adding in the EMS portion of our applications.

Commissioner Meko stated he had met with 25 residents in the 6th Street area and there concerns were centered on Club 6. He added it was hard to say if it was from the complaints were from the past. He added

they had called the police and were told there was nothing they could do about it because they had their permit. He added it was important to get the residents and the police department together and he would help them set up police community relation meetings and asked the Captain to devote time to entire meeting. He added 11th Street corridor seemed much more controlled then it had been four months ago and the residents seemed to be happier.

Commissioner Leong encouraged the chair to reconstitute the Legislative Committee because there was a lot of unfinished business.

Commissioner Alan stated he had the pleasure of spending last weekend in New Your City and spent the entire weekend until 6:00 A.M. on Friday and Saturday out on the streets in front of night clubs and theatre venues. He added to his surprise he found under the employ and pay of the New York City Police Department there were at least three officers in front of every major club or public assembly institution in New York. He added their purpose was to direct people if they got lost and give a since of order to the streets. He added they were generally really helpful police officers with a uniform presence. He added as the commission moved forward they should look at some of the successes around the country and start emulating those successes. He added the Love Fest created a festival two weekends ago that highlighted the power and community behind electronic music and it was an extraordinary event and it was the third year the event had occurred and was well received by the community.

Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings.

ADJOURNMENT. 7:34 P.M.

Entertainment Commission
City and County of San Francisco

Notice and Agenda for Regular Meeting
Tuesday, October 17, 2006 at 5:00 P.M.
Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102

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MEMBERS OF THE COMMISSION

Jordan Shlain, Chair - *Neighborhood Representative*
Audrey Joseph, Vice Chair - *Industry Representative*
Terrance Alan, Commissioner - *Industry Representative*
Bowman Leong, Commissioner - *Urban Planning Representative*
Bruce Lorin, Commissioner - *Law Enforcement Representative*
Jim Meko, Commissioner - *Neighborhood Representative*
Joseph Pred, Commissioner - *Public Health Representative*

SF
E81
#1
10/17/06

CALL TO ORDER AND ROLL CALL

1. **PUBLIC COMMENT:**

   Members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission. With respect to agenda items, members of the public may address the Commission for up to three minutes at the time such item is called.

2. **REVIEW AND APPROVE MINUTES** of October 3, 2006. **[Action Item]**

3. Discussion regarding venues in the Castro and South of Market, under the control of Greg Bronstein, to discuss status of permits. **[Discussion]**

4. Discussion regarding Fluid Ultra Lounge located 662 Mission Street under the control of Peter Man and Wilfred Shaw to discuss status of noise and crowd control. **[Discussion]**

5. **HEARING AND POSSIBLE ACTION** regarding applications for permits under the jurisdiction of the entertainment commission. **[Action Item]**

   a) **Pagni, Antonio, dba "TNDC/Winslow and Assoc. (Pool Toss)", Phoenix Hotel courtyard, 601 Eddy Street, Loudspeaker permit, Tuesday October 17, 2006, 6PM - 9:59 PM.**

b) **Allen, Kristi, HEI San Francisco, dba "Le Meridien San Francisco", 333 Battery, Place of Entertainment.**

c) **Nunez, Robert, dba "Kingdom," 46 Minna Street, Place of Entertainment.**

d) **Manfull, Catrina, dba "Rudy's Place," 784 Geary Street, Billiard Parlor/Mechnical. Amusement Device.**

e) **Nguyen, Hai, dba "TLBida," 292 Turk Street, Billiard Parlor.**

6. **REPORT FROM THE EXECUTIVE DIRECTOR**, Bob Davis report: Update on North Beach, SOMA, 4th Street and Studio Z. on. Venue inspection report from Sound Technician Vajra Granelli's on recent venue activities. **[Discussion]**

7. **COMMISSIONER COMMENTS AND QUESTIONS**.

8. Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings. **[Action Item]**

ADJOURNMENT.

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at **www.ci.sf.ca.us/bdsupvrs/sunshine**. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact:

Sunshine Ordinance Task Force
Donna Hall, Administrator
City Hall, Room 409
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Office: (415) 554-7724
(Fax): (415) 554-7854
(E-mail): Donna_Hall@ci.sf.ca.us

WRITTEN COMMENTS

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Entertainment Commission
City and County of San Francisco

Notice and Agenda for Regular Meeting
Tuesday, October 17, 2006 at 5:00 P.M. **AMENDED**
Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102

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Audrey Joseph, Vice Chair - *Industry Representative*
Terrance Alan, Commissioner - *Industry Representative*
Bowman Leong, Commissioner - *Urban Planning Representative*
Bruce Lorin, Commissioner - *Law Enforcement Representative*
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SF
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5. Discussion and Possible action on creations of Committees. **[Action Item]**

6. Discussion and Possible action on changing the starting time of Commission meetings. **[Action Item]**

ENTERTAINMENT COMMISSION
1 DR. CARLTON B. GOODLETT PLACE, ROOM 453 SAN FRANCISCO, CA. 94102
(415) 554-6678 ■ (415) 415 554-5793 ■ Fax (415) 554-7934

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Entertainment Commission

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October 17, 2006

ENTERTAINMENT COMMISSION

City andCounty of San Francisco

MINUTES OF THE

October 17, 2006
City Hall, Room 406
Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

COMMISSIONERS

Present
Jim Meko
Jordan Shlain
Joseph Pred
Bruce Lorin
Bowman Leong
Terrance Alan
Audrey Joseph

STAFF

Present
Robert Davis, Executive Director,
Jocelyn Kane, Crystal Stewart and

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Vajra Granelli

1. CALL TO ORDER

The Commission Chair called the meeting to order at 5:11 P.M.

ROLL CALL

Bob Davis called the Roll.

Present at the meeting were Commissioners Jim Meko, Jordan Shlain, Joseph Pred, Terrance Alan, Audrey Joseph, Bruce Lorin and Bowman Leong.

Absent at the time of roll call were: Terrance Alan and Bowman Leong.

Staff present was, Robert Davis, Jocelyn Kane and Crystal Stewart.

1. PUBLIC COMMENT

No public comment.

2. REVIEW AND APPROVAL OF MINUTES OF OCTOBER 3, 2006

Public comment
No public comment

Commissioner Pred moved to approve the minutes of October 3, 2006
Commissioner Meko second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Lorin, Commissioner Pred and Commissioner Shlain
ABSTAIN - Commissioner Joseph
ABSENT - Commissioner Alan and Commissioner Leong

Chair Shlain stated he would switch the agenda items around. He added he would move item an up on the agenda due the event starting at 6:00 P.M. this evening.

HEARING AND POSSIBLE ACTION REGARDING APPLICATIONS FOR PERMITS UNDER THE JURISDICTION OF THE ENTERTAINMENT COMMISSION.

a) Pagni, Antonio, dba "TNDC/Winslow and Assoc. (Pool Toss)", Phoenix Hotel courtyard, 601 Eddy Street, Loudspeaker permit, Tuesday October 17, 2006, 6PM - 9:59 PM.

Jocelyn Kane stated the applicants had been before the Commission year after year with this event to raise money for TNDC. She added the event is scheduled to end at 10:00 P.M. She added she did not receive a recommendation from Northern station but in the past there had been no objections. She added staff recommends approval.

Raphael Musni stated he was familiar with the event and it was the 6th year he had assisted with the production of the event.

Public comment
No public comment.

Commissioner Joseph moved to approve Commissioner Meko second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Lorin, and Commissioner ShlainCommissioner Alan Commissioner Joseph and Commissioner Prea
ABSENT at time of vote - Commissioner Alan and Commissioner Leong
NOES - None

Commissioner Leong arrived at 5:14 P.M.
Commissioner Alan arrived at 5:18 P.M.

Discussion regarding venues in the Castro and South of Market, under the control of Greg Bronstein,to discuss status of permits.

Jocelyn Kane stated there were three locations Jet at 2348 Market the Bar 456 Castro and The Transfer at 198 Church. She added the Transfer still needed approval from the Fire Department. She added Fire and Electrical on the Bar on Castro and Health and Fire on Jet.

Jeremy Paul stated he was representing Greg Bronstein and That's it Inc. He added this was his third time addressing the Commission on the matters. He added his first time was by way of apology and making commitments, his second time was to give his report on their due diligence and today he was prepare to report on the great deal of anger and frustration at the bureaucracy in the city and the way the address the industry as a whole and the business of the Entertainment Commission. He added the Health and Fire departments were difficult to get responses out as well as consistent responses. He added there was little recognition of the economic importance of the industry that the Entertainment Commission oversees in the city. He added their lack of performing the functions that the city relies on them to perform. He added they were doing their very best to address the moving target and to find some place where the buck might stop within the Fire Department inspection division. He added they have addressed everything in the electrical report and have gotten the electrical sign offs and have addressed everything that might be health and safety type violation. He added it had been a struggle to get clarity from the Fire Department about what they need to do to get them to sign off on it. He added the Bar on Castro needed a walk through from Building. He added he felt like he was back to zero on the Bar on Castro because the Fire Department felt they needed to start over with a new inspection survey. He added they would do all of the new compliance items which they came up. He added he would continue to do what he was doing with the sign offs.

Chair Shlain asked if it would be helpful to bring in someone from the Fire Department to address the Commission on why there interpretations were not moving.

Jeremy Paul stated having a report from fire on the mattes would be an excellent idea. He added it should be done judicially and did not think the Commission would have a chance to get an opportunity with them and it should be based specific set of questions on general compliance issues. He added if they wanted to address them on the particular clubs he would be in support of it.

He added as a person working in permitting for 18 years he would like to see the department addressing these things as a broader matter for consistency for the applicants. He added it was not what city was government was about.

Commissioner Joseph asked what would be the problem with him accepting their sign off on a 49 occupancy getting your permit coming into compliance and then appeal the occupancy after the fact.

Jeremy Paul stated it would be them acknowledging they are creating a new "A" occupancy and under state law they would have to meet all the current A occupancy standards.

Commissioner Lorin stated the Commission was bending over backwards for the applicant allowing them to continue to operate which was not in the prevue of the law. He added he agreed with Commissioner Joseph and they should accept whatever it was to get the permit legally then argue the issue later. He added it was wrong to continue the item.

Commissioner Pred asked how much time was between the Fire Department inspections.

Jeremy Paul stated weeks and in some cases days.

Chair Shlain stated he would like to have staff work with the Fire Department and come before the Commission to understand what they were doing. He added they could hold Mr. Paul and Mr. Bronstein to some standard today and the Fire Department changes their procedure next week. He added he would like to have the Fire Department to attend the meeting to get clarity on their process before going forward. He added he would continue the item to the call of the chair to get the appropriate people at the meeting.

Discussion regarding Fluid Ultra Lounge located 662 Mission Street under the control of Peter Man and Wilfred Shaw to discuss status of noise and crowd control.

Bob Davis stated the item was brought to staffs attention because of negative ramifications down on 4th Street. He added the establishment is located across from the St. Regis Hotel on Mission and complaints were registered. He added he thought it was wise to bring the owners before the Commission to insure they understand the gravity of continuing to be destructive. He added 53 room of the St. Regis Hotel had to be compensated because of the noise from the crowd. He added they had a meeting with the owners and expressed their concerns and asked them to submit a security plan. He added Vajra went to their establishment since then and noticed some positive changes.

Chair Shlain asked them to address the Commission and give his understanding of why the complaints were happening and what they were going to do to prevent it from happening. He added he has been personally called by a number of people that there was significant noise and a flagrant disregard for the Good Neighbor Policy.

Peter Mann stated they were in contact with The St. Regis Hotel has been in open dialog with them ever since they heard about the complaints. He added they made a number of changes since the started talking some of them worked and some of them probably didn't. He added when they heard there was a complaint filed with the Entertainment Commission they came in with their outsource security company and meet with Mr. Davis and Mrs. Kane and outlined a security plan. He added they obtained their license before the security plan was necessary document and wanted to make sure they complied. He added they added additional security and people that will roam the lines and come up with a different exiting policy and a taxi pick up. He added they brought in a sound technician from Las Vegas to dampen the noise and they would be adding sound curtains. He added

Commissioner Joseph stated the noise ordinance states they had to keep all doors and windows closed. She added the sound curtains with a break at the side instead of the center would be wise. She added they should take LEAD training and it was important.

Bob Davis stated the applicants agreed to give the St. Regis a special phone number if there were any

complaints.

Public Comment

Barry Taranto stated he compared Pink and Fluid to a similar type of operation. He added Pink was very careful about opening their door and kept it closed 99.9% of the time. He added Fluid should take lessons or how pink operated. He added if Fluid kept their white zone clear and limited their double parking to a minimum. He added he was speaking against the place because they did not keep a constant white zone there.

Discussion and Possible action on creations of Committees.

Chair Shlain stated there have been discussions about creating one committee or creating two committees. He added the one committee idea would be to create a Legislative and Executive Committee. He added it has been requested to have two committees. He added he would like to open the discussion regarding their comments to have one committee that would deal with both legislative and executive issues and proposed that the committee meet prior the same day of the regular Commission meetings. He added if one committee was created he suggested to have alternates on the committee.

Commissioner Alan stated he supported the Chair's comments about the commission structure and the meeting times. He added there may be the need to form a special committee from time to time in the event they have a pressing legislative or organizational issue that had to be addressed. He added rather than encumbering the Commission with two meeting and two committees one in which may did not have a lot to do he would support having them combined and have them at the advance of the Commission meeting.

Commissioner Meko stated on really important issue he supported the discussion coming directly to the full commission and being worked out rather than being talked out once in a committee and then being brought to the Commission. He added his first choice would be the full Commission deal with the issue. He added he supported Commissioner Alan's concept making it more covenant for all members of the commission to participate by having the committee meetings on the same day prior to the commission meetings. He added he was conflicted whether they should have one committee or two; the idea of having alternate committees was a good idea or two separate committees with two different functions. He added in general he supported where they were going.

Commissioner Pred stated the idea of a single committee with alternates addressed the issues of the complications that could happen even with the added convenience of having the meeting on same day of the public hearings. He added it would be a way to maintain progress.

Commissioner Lorin stated he would rather see the staff handle things and come out with a preliminary report or written law that the full commission could review and vote on.

Commissioner Joseph stated the Executive Committee did a great job in crafting the By-Laws and procedures. She added the legislative committee might be hamstrung because the Commission could not function well under Section 1060 and 1070 of the Police Code and the laws should be changed. She added having a committee that held meetings that put things together then puts it forward and it dies on the vine seemed to be a waste of resources of all the valuable talented people on the commission. She added the idea of special committees when they were needed to hold special hearings and work on a project might be a great idea but to have an ongoing committee that could only work on something that would be frustrating because they could not get anything was not such a good idea.

Commissioner Leong stated it would be a good idea when circumstances required they could call ad hock committees to deal with bigger issues like the adult entertainment legislation. He added he was all for progress but did not feel as hard as they and staff had tried they hadn't done as much as he would have liked on the legislative committee.

Chair Shlain stated given what he had heard perhaps they just have special session committees that were

project and legislatively focused.

Commissioner Meko stated the bylaws were clear stating the president was the one who had the authority to appoint the members of the committees. He added the committees could then select their own chair.

Public Comment
No public comment.

Commissioner Alan moved to support the a forming of a standing committee with standing committee members appointed that can be called by the chair who will respond in timely and appropriate fashion to request from other Commissioners emergency items Commissioner Pred second the motion

AYES - Commissioner Alan, Commissioner Lorin, Commissioner Pred
NOES- Commissioner Shlain, Commissioner Meko Commissioner Leong andCommissioner Joseph

Motion fails

Commissioner Joseph stated she would like to continue the item to come back with a more clear idea of it.

Public Comment
No public comment

Commissioner Joseph moved to continue the item to the next Commission meeting Commissioner Lorin second the motion.

AYES - Commissioner Leong, Commissioner Meko, Commissioner ShlainCommissioner Joseph
NOES - Commissioner Alan, Commissioner Lorin and Commissioner Pred

Commissioner Lorin stated he would like to pass item No. 6 and move to item No. 7 to address the public's needs.

Chair Shlain agreed.

HEARING AND POSSIBLE ACTION REGARDING APPLICATIONS FOR PERMITS UNDER THE JURISDICTION OF THE ENTERTAINMENT COMMISSION.

b) Allen, Kristi, HEI San Francisco, dba "Le Meridien San Francisco", 333 Battery, Place of Entertainment.

Jocelyn Kane stated the applicant applied in early September to cover entertainment uses in a variety of spaces including the Lobby Lounge the restaurant, and hotels and other meeting spaces in other levels of the hotel. She added Planning indicated it is a permitted use and a recommendation from Captain Dudley without any conditions. She added she met with the applicants and soundproofing was of importance to them at their location. She added staff recommends approval.

Steven Scarpulla stated he was the restaurant manager in the hotel and was representing Ms. Allen.

Public Comment
No public comment

Commissioner Lorin moved to approve Commissioner Joseph second the motion.

AYES - Commissioner Leong, Commissioner Meko. Commissioner Shlain,Commissioner Joseph
Commissioner Alan, Commissioner Lorin and Commissioner Pred

NOES - None

c) Nunez, Robert, dba "Kingdom," 46 Minna Street, Place of Entertainment.

Jocelyn Kane stated the applicant applied in mid September and it would be a new venue located south of Market. She added it would be a DJ lounge. She added today she was informed out the applicant did not have a chance to meet with Southern station, and ABC regarding operations and the applicant agreed by the suggestion of Southern station to continue the item for two weeks.

Public Comment
No public comment

Commissioner Lorin moved to continue the item to the next meeting Commissioner Leong second the motion.

AYES - Commissioner Leong, Commissioner Meko, Commissioner Shlain,Commissioner Joseph Commissioner Alan, Commissioner Lorin and Commissioner Pred
NOES - None

d) Manfull, Catrina, dba "Rudy's Place," 784 Geary Street, Billiard Parlor/Mechanical Amusement Device.

Jocelyn Kane stated the application was for a pool tables and video games. She added the applicant applied in early September with the intention to open an internet café. She added Planning indicated it was a permitted use without restriction of hours. She added Captain Dudley approved the permit. She added they have approval from electrical. She added staff received an email from a neighbor requesting a continuance for a variety of reasons.

Bob Davis stated there was concern raised with the neighborhood. He added according to the neighbors the posting was not in a place were it could easily observed from the street. He added the applicant moved the posting to a more prominent position. He added many of the neighbors felt as a result of the posting being placed in a position that was unsighted they had not had a chance to met with the applicant and discuss the operation of their business. He added they had other meetings scheduled for this evening and requested a continuance. He added many of the concerns had been met and the applicant withdrew her ABC license which was a concern of the neighbors.

Commissioner Joseph asked what of experience she had to run a billiard parlor.

Catrina Manfull stated she did not consider it to be a billiard parlor it was a deli and coffee shop with two pool tables. She added it was not the main focus of her business.

Chair Shlain asked if she had an opportunity to chat with her neighbors.

Catrina Manfull stated she had chatted with a few neighbors and was not sure who the people were with concerns. She added she had spoke with neighbors who were happy to see that she was going to open She added it would family environment and they would close at 11:00 P.M.

Chair Shlain asked were the posting was located.

Catrina Manfull stated they moved it from one window to another but they were in the same area and it was visible on both sides.

Commissioner Leong asked did the applicant leave the posting down for a period of time.

Catrina Manfull stated she moved it from one window to the next and it was not left aside.

Commissioner Leong stated he saw the photo and it seemed to be located in a spot that could easily be seen.

Chair Shlain stated he was stifled that now neighbors had shown up for the hearing.

Public Comment
No public comment.

Commissioner Meko moved to conditionally based on the legal requirements of distance to schools within Commissioner Leong second the motion.

AYES - Commissioner Meko, Commissioner Lorin, Commissioner Pred Commissioner Leong Commissioner ShlainCommissioner AlanCommissioner and Joseph
NOES - None

c) Nguyen, Hai, dba "TLBida," 292 Turk Street, Billiard Parlor.

Jocelyn Kane stated it was the third time the billiard parlor permit on Turk Street was in front of the Commission. She added the police had recommended denial because they had some safety concerns and the neighbors had concerns there was no outreach done to them. She added since the last meeting she had no contact with the applicant and they have not sent the lease. She added she got a call from a neighbor who said there was still a for rent sign on the establishment. She recommended the item be continued to the call of the Chair until she can establish if the applicants were moving forward.

Commissioner Lorin stated from his vast experience he would vote against the permit. He added he would like to make motion to deny based on public safety. He added it would be a danger to the public for people who frequent the venue and the public near by it.

Commissioner Joseph stated she would go with his motion with the friendly amendment to deny on the fact the Commission had no way to ascertain whether or not the applicant actually had position of the building.

Commissioner Alan stated he was concerned the applicant would be required to reapply and repay for permit fee if they would deny the applicants request. He added they did not have all the answers to make a decision He added they should have everything in front of them to approve or deny the permit. He added he would only support a motion to continue the item until the file was complete.

Chair Shlain stated staff had multiple attempts to get in touch with the applicant and had not gotten a response. He added his motion would be to deny the permit on lack of communication.

Public Comment
No public comment

Commissioner Lorin moved to deny the permit based on public safety concerns and the friendly amendment of the Commission had no way to ascertain whether or not the applicant actually had position of the building Commissioner Meko second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Lorin, Commissioner Pred, Commissioner Leong Commissioner Shlain
NOES - Commissioner Alan and Commissioner Joseph

6) Discussion and Possible action on changing the starting time of Commission meetings.

Chair Shlain stated the item was put on the agenda in the spirit of the meetings to not go deep into the night that the meetings would start at 4:00 P.M. instead of 5:00 P.M. He added

Commissioner Lorin stated he was not concerned when the meetings started however if they wanted

participation from the public and the neighbors they would have to have the meetings when people got off work. He added he could not expect people to take time off from work to come to the meetings.

Commissioner Pred stated he would be supported of the idea of starting at 4:30 P.M. which would give them a half our plus to talk about the non permit related issues that would not impact the general public.

Commissioner Meko stated public meetings that involved a lot of community comment intended to start at 6:00 P.M. because people worked from 9:00 A.M. to 5:00 P.M. He added with the range of community meetings he already attended on top of this one. He added he was the sole production person for a printing company and he worked on weekends. He added he would appreciate if they could keep the meeting time at 5:00 P.M.

Commissioner Leong stated he would like to keep the meeting at 5:00 P.M. He added he had a 9:00 A.M. to 5:00 P.M. job and he agreed with Commissioner Meko and it was kind of a middle grown that gave people a chance for members of the public to attend the meetings.

Chair Shlain stated he worked for a living and he was attending the Executive Committee meetings on Thursday from 3:30 to 5:00 P.M. He added they had to remember and balance the fact that they were volunteers and they took time out of their day to try to have an impact that was meaningful. He added if the public was an interested member the public would come to at least one of the meetings on an issue. He added if it was really important to them they could take time out of their day to come to a meeting to weigh done. He added if they started at 4:30 the Commission could get a lot of their business out of the way in advance and start the meetings at 5:00 P.M.

Commissioner Alan stated he would agree to continue the meetings at 5:00 P.M.

Commissioner Alan moved to continue the Entertainmnet Commission meetings at 5:00 P.M. Commissioner Leong second the motion.

VOTE:

AYES - Commissioner Meko, Commissioner Pred, Commissioner Leong Commissioner Alan Commissioner Joseph

NOES - Commissioner Shlain

ABSTAIN - Commissioner Lorin

REPORT FROM THE EXECUTIVE DIRECTOR

Bob Davis stated North Beach had 20 arrest and 1 one citation issued by the ABC for serving a minor at the Sake Lab. He added the resources utilize through the weekends had diminished slightly but were still holding strong. He added they had the solos one weekend night, fire and the sheriff both Friday and Saturday night. He added Vajra Granelli had continued to be present one night. He added he has noticed fewer young people present on the street and a number of them have went to south of market street. He added they have had discussion with Captain O'Leary with regards to that. He added there has a request that some of the attention that has been given to Broadway move up Green Street because a number of instances that have occurred. He added overall the North Beach experience was going well. He added the club owners were frustrated and felt it was something that was not primarily their fault and felt that Building and Fire inspections and ABC investigations had been a burden to them. He added they agreed in order to get the young people into some kind of orderly fashion the presence of the police needed to still occur. He added there was LEAD training today that occurred for the North Beach operators. He added there were a number of different instances that appeared in SOMA there was a hotel worker that was attacked and was perpetrated by someone that came from North Beach and they were working with the Captain to beef up some of his patrols on 4th Street. He added the clubs that exist within the Metreon have changed their program and was not a contributor at this point. He added in the coming week SOMA would have a lot of activity related to the ORACLE conference and Howard would be closed. He added the 11th Street corridor was relative quiet.

Vajra Granelli stated one venue in North Beach he wanted to bring up was Sake Lab. He added they had been sited in the past for violations of sound ordinance and continues to be a thorn in the side of Broadway and the

SFPD. He added Studio Z now Resurrection Theatre had a sound test done and they had reinforced the back wall that faced the residents with a sizable amount of sound proofing and reinforced the front of the building which has created a better sound footprint overall for the space. He added they were started the reinforcement of a sound board on the front windows of the second floor. He added they have started work on the roof and skylight of the building. He added overall the space was a lot better and a vast improvement. He added he was advised of any and all new work that was happening.

Chair Shlain asked was he suggesting the Commission bring Sake Lab in front of the Commission.

Bob Davis stated staff had turned Sake Lab over to the City Attorney to begin the process of a suspension hearing and would report back once they get the findings from the City attorney.

c) **COMMISSIONER COMMENTS AND QUESTIONS.**

Commissioner Joseph stated through legislation the Commission was to be the operator of Halloween if there was not bona fide promoter. She added the Commission has handled Halloween and she had headed it up for the last few years and the first year was Commissioner Alan. She added they managed City services of the Sheriff, Fire, DPT, Police EMT, and DPW and coordinated the entertainment. She added it has been a much healthier Halloween. She added the neighbors were upset their neighborhood was overtaken by a quarter of a million people for 6 hours on Halloween. She added they complained to the Supervisors who took their complaints seriously and also due to the incident over gay pride were someone was beat up and another situation were someone had their car doors open playing hip hop music and he feared for the neighbor. He added he brought in the Mayor's office and the Mayor's office has since taken over the stewardship of Halloween. She added it has left the Commission with little to do. She added the Mayor's office was able to come up with funds to pay for port potties and the dumpsters, some patrol specialist and some security and one stage. She added Castro Street station is closed and somewhat manned by MTA police. She added she would be on site for Halloween and will assist the city in any way she could. She added she did not have an overall view who was coordinator the event.

Commissioner Alan stated SFLNC would have a benefit tomorrow evening at the Supper Club. He added he did understand the Chairs request to keep their comments brief and too the point and while he respected that it was the only time in the public forum when they had the opportunity to address the Commissioners and meet the law. He added he intrigued everyone in the city to realize the problems that are being voiced on the entertainment permitted venues beginning in North Beach and now soon to be SOMA. He added grew out of the Recreation and Park's decision to abandoned their children's programs and they grow out of the abandonment of the youth by the population which had the most vocal and squeaky voice in San Francisco. He added it's the same population trying to drive the Halloween festival out of the city and the children out of the gymnasium and after school programs and the funding out of Recreation and Park.

Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings.

Commissioner Joseph stated to add a review of Halloween to the next agenda.
ADJOURNMENT. 7:34 P.M.

Entertainment Commission
City and County of San Francisco

Notice and Agenda for Regular Meeting
Tuesday, November 7, 2006 at 5:00 P.M.
Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102

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MEMBERS OF THE COMMISSION

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Jordan Shlain, Chair - *Neighborhood Representative*
Audrey Joseph, Vice Chair - *Industry Representative*
Terrance Alan, Commissioner - *Industry Representative*
Bowman Leong, Commissioner - *Urban Planning Representative*
Bruce Lorin, Commissioner - *Law Enforcement Representative*
Jim Meko, Commissioner - *Neighborhood Representative*
Joseph Pred, Commissioner - *Public Health Representative*

CALL TO ORDER AND ROLL CALL

1. PUBLIC COMMENT:

   Members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission. With respect to agenda items, members of the public may address the Commission for up to three minutes at the time such item is called.

2. **REVIEW AND APPROVE MINUTES** of October 17, 2006. **[Action Item]**

3. Discussion regarding Fluid Ultra Lounge located 662 Mission Street under the control of Peter Man and Wilfred Shaw to discuss status of noise and crowd control. **[Discussion]**

4. **HEARING AND POSSIBLE ACTION** regarding applications for permits under the jurisdiction of the entertainment commission. **[Action Item]**

a) **Ly, Steve, dba PT's Sports Bar and Grill, 3565 Geary Street, Place of Entertainment, Mechanical Amusement Device and Billiard Parlor.**

b) **Nunez, Robert, dba Kingdom, 46 Minna Street, Place of Entertainment.**

ENTERTAINMENT COMMISSION
1 DR. CARLTON B. GOODLETT PLACE, ROOM 453 SAN FRANCISCO, CA. 94102
(415) 554-6678 ■ (415) 415 554-5793 ■ Fax (415) 554-7934

c) **Zimmerman, David, dba Icon, 1192-98 Folsom Street, Place of Entertainment, Extended Hours Premises.**

5. Resolution authorizing Entertainment Commission Director Robert G. Davis to Deem One-Night Event Applications for New Year's Eve Events lasting past 2:00 A.M. to be Applications for Extended Hours Premises Permits with Condition that Authorization is only for After Hours Events Ending on January 1, 2006; authorizing a Temporary Reduction in the Application Fee for Extended Hours Premises Permits with the 2007 New Year's Eve-only condition to the same level as applications for permits for One Night Events.**[Action Item]**

6. REPORT FROM THE EXECUTIVE DIRECTOR, Bob Davis report: Update on SOMA, North Beach and Icier Air. Report from Vajra Granelli's report on recent venue activities. **[Discussion]**

7. Discussion and Possible action on creations of Committees. **[Action Item]**

8. Report regarding the Entertainment Commission's participation on Halloween 2006 in the Castro. **[Action Item]**

9. **COMMISSIONER COMMENTS AND QUESTIONS.**

10. Discussion and direction to staff to place items on the agenda for future Entertainment Commission Meetings. **[Action Item]**

ADJOURNMENT.

Please see attached for the Entertainment Commission's interim policy on accessibility to its meetings.

DISABILITY ACCESS

Room **406** is wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #42 Downtown Loop, the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI services, call 923-6142. Large print agendas are available. Sign language interpreters are available upon request by contacting the Entertainment Commission Office at least two working days prior to a meeting. Individuals with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities should also call the Entertainment Commission Office. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. A TDD phone for the Entertainment Commission is available on request.

The ringing and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Pleased be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at **www.ci.sf.ca.us/bdsupvrs/sunshine.** For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact:

Sunshine Ordinance Task Force
Donna Hall, Administrator
City Hall, Room 409
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Office: (415) 554-7724
(Fax): (415) 554-7854
(E-mail): Donna_Hall@ci.sf.ca.us

WRITTEN COMMENTS

Persons attending the meeting and those unable to attend may submit written comments regarding the subject of the meeting. Such comments will be made part of the official public record and will be brought to the attention of the Commission. Written comments should be submitted to the Entertainment Commission c/o Jocelyn Kane, Entertainment Commission, Room 453 City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

"Explanatory Documents: Copies of explanatory documents listed in this agenda, and other related materials received by the Entertainment Commission after the posting of this agenda, can be obtained during normal office hours at the Entertainment Commission office on the 4th floor of City Hall, 1 Dr. Carlton B. Goodlett Place, Room #453, San Francisco, CA 94102, and also, to the extent possible, will be available on the Commission's website at http://www.sfgov.org/entertainment."

Entertainment Commission

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November 7, 2006

ENTERTAINMENT COMMISSION

City andCounty of San Francisco

MINUTES OF THE

November 7, 2006
City Hall, Room 406
Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

COMMISSIONERS

Present
Jim Meko
Bruce Lorin
Bowman Leong
Terrance Alan
Audrey Joseph

STAFF

Present
Robert Davis, Executive Director,
Jocelyn Kane, Crystal Stewart and
Vajra Granelli

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CALL TO ORDER

The Commission Chair called the meeting to order at 5:10 P.M.

ROLLCALL

Bob Davis called the Roll.

Present at the meeting were Commissioners Jim Meko, Terrance Alan, Audrey Joseph, Bruce Lorin anc Bowman Leong.

Absent at the time of roll call were: Jordan Shlain and Joseph Pred.

Staff present was, Robert Davis, Jocelyn Kane and Crystal Stewart.

1. PUBLIC COMMENT

No public comment.

2. REVIEW AND APPROVAL OF MINUTES OF OCTOBER 17, 2006

Public comment
No public comment.

Commissioner Lorin moved to approve the minutes of October 17, 2006
Commissioner Joseph second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Lorin, Commissioner Leong, Commissioner Joseph and Commissioner Alan
ABSENT - Commissioner Shlain and Commissioner Pred

3. Discussion regarding Fluid Ultra Lounge located 662 Mission Street under the control of Peter Man and Wilfred Shaw to discuss status of noise and crowd control.

Bob Davis stated it was an item that was on the agenda at the last meeting. He added there was a number of people form near by businesses including the Hotel that did not get a chance to speak. He added there were still issues and the public was invited back to comment on what the status was.

Public comment

Angel Aroche a director of security with the St. Regis Hotel located at 125 3rd Street. He added he was present to discuss the ongoing issues and problems they were experiencing with Fluid. He added they hac attempted to work with the owners Fluid Night Club or the last several months regarding the noise complaints they have received from their guest. He added there had been numerous occasions were they had to address it with the SFPD regarding crowd control, vandalism and public urination. He added they came to a resolution on how Fluid could resolve the problem. He added unfortunately they did not see any decrease or the issues. He added it has impacted their revenue as a hotel were guest were being compt several nights as well as breakfast lunch and dinner. He added he hoped the Commission could assist them with coming up with some sort of resolution with the ongoing matter.

Stephanie Schoen stated she was the front office manager with the St. Regis Hotel. She added they have

experienced a high volume of guest complaints not being able to get sleep until 2:00 A.M. or 3:00 A.M. in the morning especially on the weekend. She added there were some meetings with Fluid Nightclub regarding the issues but they have still not seen any improvements. She added there were still a how amount of complaints from the quest.

Commissioner Alan asked based on her knowledge had the situation worsen when Fluid originally opened at any time during its opening or had it been consistently a problem since the day they open.

Stephanie Schoen stated the Hotel opened November 1st and she had been there from day one and from her own experience it has worsen over the last couple of months. She added there were more complaints.

Commissioner Joseph asked was there double pained windows on the hotel and was the hotel itself sound proofed as it should be according to the code.

Stephanie Schoen stated there were double pane windows on the hotel.

Robert Goldman stated he lived at the Paramount Apartments that were across the street. He added he has seen it get worse in the last six month with garbage and public urination from their patrons. He added the Fluid nightclub dumpsters were overflowing and left on the street. He added there were tenants that have complained.

Commissioner Joseph asked were the dumpsters locked.

Robert Golden stated they were not locked and people went through them because they were not locked. Public comment closed.

Commissioner Meko asked Bob Davis had they been in contact with San Francisco Police Department.

Bob Davis stated they had been in contact with the Police department and on several occasion by the time the police arrived the noise would cease. He added they would have their regular monthly with Southern station that will include venue owners and the hotel people and the people from the Paramount. He added there were some calls from service that had been logged but there were no reports of illegal activity because it had ceased when the police arrived. He added it was on the front burner and they would be following up.

Commissioner Joseph stated the problems the people were addressing could be easily remedied and she was surprised he had not remedied them. She added he had to lock his dumpsters because it brought rats. She added they should have their maintenance person go in the alley and sweep up twice a night would be a good idea. She added the noise in the club could be controlled as well as the noise on the street by using enough security. She added if his patrons were doing the public urination it should be monitored by his club.

Peter Mann stated they were working with Golden Gate disposal on the trash issue and the locks are getting stolen. He added they were trying to keep their side clean however there were homeless people who lived and urinated near the area. He added the city could attest to it because they cleaned it every weekday or Thursdays. He added his car was parked near the area and the waste that came from the alley cleanings covered his vehicle. He added the problem continued and they would try their best to do their part. He added they came up with a lot of things since the last meeting and put in sound curtains and they were fully staffed and 50% of more security. He added they were pushing the crowd further down Mission Street away from the corner and asking taxi to pick up patrons away from the residents. He added they were alarmed when a notice went out asking the residents to voice their opinion. He added two emails were sent in support of their venues that could not be present.

Commissioner Joseph stated when he made improvements he should memo the hotel on their updates.

Commissioner Meko asked how much security they had and what did they have prior and what did they increase it to. Commissioner Meko stated did he receive any citations for garbage.

Peter Mann stated they had increased their security staff from 4 to 7. He added on Saturday's they increasec it to 8 or 9 if they were going to have a big night.

Commissioner Leong stated at the last meeting he talked about making sure the hotel had a contact person oı manager who had the authority to turn the stereo down or respond to calls and moving his line down and had iı been implemented yet.

Peter Mann stated they started implementing moving their line down two weeks ago but it was still a work ir process.

Commissioner Alan stated he strongly suggested that since the bureaucracy has very little to offer other thar shutting him down that he did everything in his power to make sure he did not end up in front of the Commission again because they will be left with few choices. He added when he heard from three people above his venue that there had been no dialog there was something broken down from the system he had puı in place. He added he must get up reach out and talk to the managers.

Commissioner Meko stated in the meantime he should turn the music down.

Bob Davis stated they would be working with the hotel they have agreed to host a meeting and it was on theiı list with the Captain to do drive by's and they would be looking specifically at the crowd control to make sure they are in compliance.

Commissioner Lorin suggested they appear at the next meeting to see the applicant's progress.

4) Hearing and possible action regarding applications for permits under the jurisdiction of the entertainment commission.

a) Ly, Steve, dba PT's Sports Bar and Grill, 3565 Geary Street, Place of Entertainment, Mechanical Amusement Device and Billiard Parlor.

Jocelyn Kane stated applicant applied for a place of entertainment and Mechanical Amusement Device. She added he planned to be open 7 days a week. She added Planning indicated it was permitted use. She addec she received a recommendation from Richmond station for approval with conditions. She added stafl recommends approval.

Commissioner Lorin stated he had some concerns about prior police conduct, and parking. He added he would like to continue the item since the applicant was not present.

Commissioner Joseph stated she would second the motion with the caveat the applicant updates his security plan.

Public Comment
No Public comment.

Commissioner Lorin moved to continue the item to the next meeting
Commissioner Joseph second the motion

VOTE:
AYES - Commissioner Meko, Commissioner Lorin, Commissioner Leong, Commissioner Joseph and Commissioner Alan
NOES - None
ABSENT - Commissioner Pred Commissioner Shlain

b) Nunez, Robert, dba Kingdom, 46 Minna Street, Place of Entertainment.

Bob Davis stated the applicant applied for a Place of Entertainment on September 14, 2006 for a Place oı

Entertainment permit. He added at the request of Southern station and in concurrence with the applicant the Commission continued the item to the current hearing. He added staff received notifications with conditions from Southern station asking that the item to be continued. He added based on conversations with Southern station and some of the issues that remain outstanding staff also recommended a continuance.

Public Comment
No Public comment.

Commissioner Joseph moved to continue the item to the next meeting
Commissioner Lorin second the motion

VOTE:
AYES - Commissioner Meko, Commissioner Lorin, Commissioner Leong, Commissioner Joseph and Commissioner Alan
NOES - None
ABSENT - Commissioner Pred Commissioner Shlain

Commissioner Alan stated he too encountered concerns regarding the applicant.

c) Zimmerman, David, dba Icon, 1192-98 Folsom Street, Place of Entertainment, Extended Hours Premises.

Jocelyn Kane stated the applicant's plan to take over the venue formally known as Luna Lounge on Folsom Street. She added it was a Place of Entertainment and a Mechanical Amusement Device and Billiard Parlor Permit. She added he planned to be open 7 days a week. She added planning indicated it was a permitted use. She added staff recommends conditional grant. She added she heard from Southern station at 4:04 P.M asking for a postponement of the hearing. She added the applicants tried to have interaction with the permit officer and were unsuccessful. She added staff recommends approvals.

David Zimmerman stated he was one of the new owners of Icon and a native resident of San Francisco. He added he and his partners own other buildings in the city and they were responsible gentlemen and wanted to work with the Commission in all possible facets to be in harmony with their neighbors and add another place of entertainment to the city. He added his business partners names were Mr. Seblega and Mitchell Matsuno.

Bob Davis stated Southern Stations objections were primarily based on the inability to meet with the applicant. He added staff recommends approval. He added the applicants have worked very hard to improve the troubled location.

Mitchell Matsumo stated they have worked with every other department and were approved and they were anxious to work with Rose Meyer on any concerns she had

Commissioner Alan stated he stopped by the venue and found them to be open and receptive and was given a full tour of the business.

Michelle Matsumo stated the previous owner John Luna had been consulting with them on finer points of improving the venue from his previous experience.

John Luna stated he was the previous owner of Luna Lounge and operated the venue for 6 years. He added

they had a couple of incidents at the venue but prior to that they had a really good operation. He added the young men were hard working and had a good business plan and they were in if for the long run which is why he and his father chose to go with them. He added he hoped the Commission would support the applicants.

Public comment

No public comment

Commissioner Joseph moved to approve
Commissioner Leong second the motion

VOTE:
AYES - Commissioner Meko, Commissioner Lorin, Commissioner Leong Commissioner Joseph and Commissioner Alan
NOES - None
ABSENT - Commissioner Pred Commissioner Shlain

5) Resolution authorizing Entertainment Commission Director Robert G. Davis to Deem One-Night Event Applications for New Year's Eve Events lasting past 2:00 A.M. to be Applications for Extended Hours Premises Permits with Condition that Authorization is only for After Hours Events Ending on January 1, 2007; authorizing a Temporary Reduction in the Application Fee for Extended Hours Premises Permits with the 2007 New Year's Eve-only condition to the same level as applications for permits for One Night Events.

Bob Davis stated each year there was a sunset and this year they staff was requesting the same as the previous year. He added they hoped further into next year there will be legislation that will allow for the Commission to approve individual one night extended hours. He added the Commission currently had the discretion and the item was vetted by both City attorney Dorji Roberts and City Attorney Virginia Dario Elizondo. He added the Commission will find a letter from Mr. Tom Ferriole and one phone call raising concerns from Robert Garcia. He added with the sunset he would not come and protest.

Commissioner Joseph stated in Mr. Ferriole misstated Scharod's Law, her comments and the Commissions intentions in her view.

Public comment

John Wood stated the practice of granting one night permits had been going on for years. He added businesses needed th4em on New Years Eve and the police department did it in the past many different ways. He added that the creation of a permit to do it exactly begin immediately after New Years Eve because New Years Eve party planning required way beyond 7 weeks and has created dilemma's of people trying to do events that did not have a permit. He added the commission to get it done early so that next year they were not doing this again next year.

Commissioner Lorin stated he would like a list of the venues that were granted the extended hours for New Years Eve.

Commissioner Alan moved to approve
Commissioner Leong second the motion

VOTE:
AYES - Commissioner Lorin, Commissioner Leong Commissioner Joseph and Commissioner Alan
NOES - Commissioner Meko
ABSENT - Commissioner Pred Commissioner Shlain

Commissioner Meko stated the applicant that was absent for PT's Sports Bar and Grill was now present and if the Commissioners would like to reopen. He added the motion to continue the item stands.

6) REPORT FROM THE EXECUTIVE DIRECTOR

Bob Davis stated after discussions with Captain O'Leary for the weekend it was relatively quiet and there were no specific incident reports and the cad reports did not indicate any noise complaints, crowd activity or fights. He added on the North Beach corridor on Friday night there were not drunk arrest or misdemeanors and there were two felony arrests. He added on Saturday night there were no felony arrests and there were six drunken related arrest and a misdemeanor arrest. He added they sent emails out to residents about the Air Icier event prior to the event. He added there was a follow up email from Dick Millet on Monday indicating there were no disturbances he was aware of and appreciated the outreach. He added the dialog between AT&T Park , the Police Department and the Commission and was more effective.

Vajra Granelli stated he did a sound check on the Icier Air event sound check went well on Friday and Saturday and did a sound check and readings inside the park and the surrounding area and the sound was under control. He added they were in the mid to high 90's. He added there were no complaints from residents towards the end of the event. He added the attendance was 25,000 and the event was and success.

7) Discussion and Possible action of creation of committees.

Commissioner Meko stated the item would be continued until the next meeting.

Public comment
No public comment.

Commissioner Alan moved to continue
Commissioner Leong second the motion

VOTE:
AYES - Commissioner Lorin, Commissioner Leong
Commissioner Joseph and Commissioner Alan
NOES - Commissioner Meko
ABSENT - Commissioner Pred Commissioner Shlain

8) Report regarding the Entertainment Commission's participation on Halloween 2006 in the Castro.

Commissioner Joseph stated the Commission did not spear head Halloween in the Castro this year and were not responsible for the coordination of various city services as in the past. She added she and Bob Davis, Jocelyn Kane, Commissioner Alan and Vajra Granelli were in attendance to the event. She added they assisted in any way they were asked to assist and took note of what happened.

Commissioner Alan stated staff and the Executive Director they immediately notice the Mayor's office with a request to be part of the task force.

9) COMMISSIONER COMMENTS AND QUESTIONS.

Commissioner Lorin complained about the bathroom's being locked and thought there should be access to the restrooms during public hearings. He added a letter should be sent from the Commission to the City

Administrator demanding the rooms be open. He added it was a City hearing room and should be available for the Commissioners have access to the restrooms.

Commissioner Joseph asked if the next meeting could be stated an hour later do to the tree lighting ceremony in City Hall on Dec 5, 2006. She added it was being sponsored by Rainbow World Fund which was the equivalent of CARE through the gay community. She added the tree this year was called the tree of hope and a tree of wishes of peace.

Commissioner Alan stated personal visit to the applicant's prior to them coming before the Commission was extraordinarily helpful and urged the commissioners to do so.

Public Comment

David Pupil, with the Sunshine Ordinance Task Force stated they should work out the bathroom issue.

10) DISCUSSION AND DIRECTION TO STAFF TO PLACE ITEMS ON THE AGENDA FOR FUTURE ENTERTAINMENT COMMISSION EETINGS.

None.

ADJOURNMENT. 6:25 P.M.

Entertainment Commission
City and County of San Francisco

Notice and Agenda for Regular Meeting
Tuesday, November 21, 2006 at 5:00 P.M. **AMENDED**
Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102

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MEMBERS OF THE COMMISSION

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Jordan Shlain, Chair - *Neighborhood Representative*
Jim Meko, Vice Chair - *Neighborhood Representative*
Audrey Joseph, *Industry Representative*
Terrance Alan, Commissioner - *Industry Representative*
Bowman Leong, Commissioner - *Urban Planning Representative*
Bruce Lorin, Commissioner - *Law Enforcement Representative*
Joseph Pred, Commissioner - *Public Health Representative*

CALL TO ORDER AND ROLL CALL

1. **PUBLIC COMMENT:**

   Members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission. With respect to agenda items, members of the public may address the Commission for up to three minutes at the time such item is called.

2. **REVIEW AND APPROVE MINUTES** of November 7, 2006. **[Action Item]**

3. **REPORT FROM THE EXECUTIVE DIRECTOR,** Bob Davis report: Update on Fluid Ultra Lounge, SOMA and the Broadway corridor. Report from Vajra Granelli's report on recent venue sound inspections and activities. **[Discussion]**

4. **HEARING AND POSSIBLE ACTION** regarding applications for permits under the jurisdiction of the entertainment commission. **[Action Item]**

a) **Rao, Jay, Om Entertainment, dba Loft 11, 316 11th Street, Place of Entertainment.**

b) **Ly, Steve, dba PT's Sports Bar and Lounge, 3565 Geary Blvd., Place of Entertainment, Billiard Parlor, Mech. Amusement Device.**

ENTERTAINMENT COMMISSION
1 DR. CARLTON B. GOODLETT PLACE, ROOM 453 SAN FRANCISCO, CA. 94102
(415) 554-6678 ■ (415) 415 554-5793 ■ Fax (415) 554-7934

c) **Claser, Matthew, Carmel Entertainment. Ventures, dba Grant and Green, 1371 Grant Street, Place of Entertainment.**

d) **Manchester, Sean, dba Mighty, 550 15th Street, Place of Entertainment/Extended Hours Premises.**

5. Discussion and Possible action to reschedule the December 5, 2006 regular meeting for one hour. **[Action Item]**

6. Discussion and Possible action on creations of Committees. **[Action Item]**

7. Commissioners' Comments, Questions, and Requests for Future Agenda Items. **[Action Item]**

Adjournment. Next regular meeting: December 5, 2006.

Please see attached for the Entertainment Commission's interim policy on accessibility to its meetings.

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Entertainment Commission

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November 21, 2006

ENTERTAINMENT COMMISSION

City andCounty of San Francisco

MINUTES OF THE

November 21, 2006
City Hall, Room 406
Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

COMMISSIONERS

Present
Jim Meko
Bruce Lorin
Bowman Leong
Terrance Alan
Audrey Joseph
Joseph Pred
Jordan Shlain

STAFF

Present
Robert Davis, Executive Director,
Jocelyn Kane, Crystal Stewart and

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Vajra Granelli

CALL TO ORDER

The Commission Chair called the meeting to order at 5:19 P.M.

ROLLCALL

Bob Davis called the Roll.

Present at the meeting were Commissioners Jim Meko, Terrance Alan, Audrey Joseph, Bruce Lorin anc Bowman Leong Jordan Shlain and Joseph Pred.

Absent at the time of roll call were: Commissioner Pred

Staff present was, Robert Davis, Jocelyn Kane and Crystal Stewart.

1. PUBLIC COMMENT

Officer Fred Crisp permit officer with Central stated he wanted to bring to the Commission's attention ar incident at Toufic Mahfouz's establishment Byblos Bar and Grill located at 270 Columbus a problem locatec where code enforcement was started against the previous owner. He added even thought he was a new operator the case was still going on since it was the same business. He added there was a bit of indiscretior on last Saturday night according to the police report there were 40 people in the establishment at 2:08 A.M. He added Mr. Mahfouz's did not have an extended hours premise permit. He added it was something he assured them he was not going to be like the previous tenant.

Commissioner Lorin asked was there alcohol on the premise.

Officer Crisp stated that was not mentioned in the report.

Public Comment closed.

Public Comment
No public comment

2. REVIEW AND APPROVE MINUTES OF NOVEMBER 7, 2006.

Public comment
No public comment.

Commissioner moved Meko to approve the minutes November 7, 2006
Commissioner Leong second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Lorin, Commissioner Leong, Commissioner Joseph and Commissioner Alan and Commissioner Pred
NOES - None
ABSTAIN - Commissioner Shlain

1. REPORT FROM THE EXECUTIVE DIRECTOR

Bob Davis stated as officer Crisp indicated there was an incident at the Byblos Bar and Grill and a report was written. He added the report is being turned over to the City Attorney Code enforcement. He added Mr Toufic is party to a lawsuit prior to his ownership he is a party and has signed requisite paperwork and with his signature it was understood he could move forward but with the understanding he could move forward but would be scrutinized very carefully. He added he has only been opened a few weeks and they have been troubled by the incident. He added Broadway was quiet over was pretty quiet on Friday. He added there were some incidents on Saturday and there were six felony arrests and ten drunken related arrest none of the drunken arrest were club related. He added there was still a presence on Broadway primarily young people coming from East Bay and Solano County area he added the solo's were still present as well as the sheriff's bus. He added SOMA was pretty quiet and there was some drive by's for Fluid and there was one report of noise and there was a meeting set for next week. He added they would continue with the drive bys to keep their presence known. He added on Sunday there was a party at Luna Lounge by the members of the 49ers and there were some noise complaints and the police responded other than noise it was not a major issue.

Chair Shlain asked how it was called in.

Bob Davis stated a noise complaint.

Commissioner Alan asked were there employees or patrons.

Officer Crisp stated Toufic Mahfouz said they were because it was Lebanese Independence Day and they were patrons not in a hurry to leave the establishment.

Vajra Granelli stated last week was the Sony play station launch event on 4th Street and the block between Mission and 4th street was blocked off. He added there was a band and one sound complaint came from senior home on 4th and Howard. He added the sound was then turned down towards the end of the set. He added other than that, the event went off pretty well and the promoters hired several 10B's on sight and crowd control was very well. He added there was some congestion over all the sound was mid 90's. He added there was some success with Fluid from a lot of the problems that had been reported in the past. He added they had better control of their door and hired more security and they would continue to monitor the situation. He added there has been on going complaints from Slims. He added 11th and 4th Street were going well with fewer complaints. He added they have had some overall progress with some clubs they were having issues with in the past. He added over the past two weeks they found three different clubs operating illegally in the city and they would be coming in to apply for a Place of Entertainment.

Commissioner Joseph stated Moby Dicks was reinstalling a reinforced sound wall in back of the building and they were going to installation of the ceiling. She added there had been two complaints over the last two years. She added at what point did the Commission do something when a business had made every effort and there were still noise complaints.

Bob Davis stated if the business was in violation of the sound ordinance they continued to work with them and they are told to turn down the sound.

2. HEARING AND POSSIBLE ACTIONregarding applications for permits under the jurisdiction of the

entertainment commission.

a) Rao, Jay, Om Entertainment, dba Loft 11, 316 11th Street, Place of Entertainment.

Jocelyn Kane stated the applicant was present to obtain a new permit for Loft 11 with no name change. He added would take over the business without any period of closure. She added she learned the local management he intended to hire was no longer in the plan. She added the applicant could speak to the Commission on the transfer of the current owner to himself. She added planning indicates it's a permitted use and Southern recommends approval with conditions.

Commissioner Alan asked was the conditions of Southern station identical to the previous business.

Jocelyn Kane stated she did not know if they were identical.

Jay Rao stated with regard to Jocelyn's comments it was this afternoon he came to realize a local manager he was going to hire because conflict of interest with promotion companies he owned he felt in his best judgment it would not work out because he needed him to be present every night and the hours did not work out. He added he would be present at the business for the entire month. He added the current owners were training him on the operations. He added the change of procession should take place on December 1, 2006. He added they pledged to continue to work with him until he found a suitable manager and he would hire another person in the near future.

Commissioner Meko stated under the previous owners did there seem to be some serious crowd control problems outside of the club he was aware of.

Jay Rao stated from his experience he thought it seemed to be normal

Commissioner Meko stated he received complaints from the neighbors about the party busses and asked would he still continue to allow the party buses.

Jay Rao stated he would have to look into when he took the business over. He added without looking into the situation he could not give an honest answer. He added he would be installing a 16 video camera monitor system made for nightclubs. He added he did not look at is an absentee owner because he would be constantly on the phone with the manager day and night. He added it was the best he could do short of actually being present physically every night.

Chair Shlain stated that he should have someone monitor the bus for drunks and the bus should be parked close to the venue to safeguard against the club and ABC violations.

Commissioner Joseph asked how many night clubs had he owned or had he worked in a nightclub.

Jay Rao stated he had not own any night clubs or worked in any nightclubs.

Commissioner Joseph stated she had issues with absentee ownership. She added it was ok to be an absentee owner in a nightclub if you knew what you were doing. She added he should be present and really learn the business or hire a serious professional staff that was going to run the club because the commission did not look fondly on absentee ownership. She added she had concerns that his security staff was going to be trained in-house and he should be aware of aware of guard card and LEAD program training.

Commissioner Joseph stated he should get in contact with staff to know what to look for in a manger.

Jay Rao stated he had not had guard card training and would get the training and he appreciated her concerns.

Commissioner Alan stated he was troubled by the applicant not being present at his club. He added the Commission was not in the position to deny him a permit to operate because he was not going to be present. He added he had to understand his name was on the permit and he would be held liable. He added he lived

five minutes away from his venue and felt that was too far.

Chair Shlain stated the two Commissioners that have concerns were very pro entertainment and he shoulc take that to heart.

Public comment

Barry Taranto stated he respected Commissioner Joseph but the applicant should be given a chance and they should work with the applicant because there was not a lot going on in the area. He added it would be a shame not to see more vitality in the clubs.

John Wood stated with reference to the party bus issue he like he liked the suggestion to have party bus tc park in front of the venue instead of being disruptive to the neighborhood. He added SFPD gave party bus a tickets for double parked southern station should agree with the idea. He added the suggestion was good bu needed to be worked out with Southern station because they were getting ticketed.

Public comment closed.

Commissioner Alan stated Parking and traffic would not allow you a large enough parking zone and the Commission needed to make some changes so the clubs could get adequately sized white zones. He addec there should be some compliance to have big enough parking zones for party buses.

Chair Shlain stated what process the Commission should go through to speak with DPT to understand why their rules did not allow for a larger white zone. He added they could make recommendations to them.

Bob Davis stated there should be a conversation held with Mr. Yee. He added it was an issue of eliminating parking for neighbors and other people and DPT tried to establish some balance. He added one of the traffic engineers should come to speak to what the specifics were.

Commissioner Meko stated he would be interested to hear any recommendations from the entertainment industry representatives on how to beef up the conditions with regard to security. He added he would take out No. 3 of the conditions and add something on security. He added he would approve the application adding the Good Neighbor Policy.

Commissioner Joseph stated No. 3 should be changed for the applicant to have current LEAD card training within the last three years. She added they should be required to have three security guards because of their occupancy load. She added all personal should have current LEAD training.

Commissioner Meko accepted the friendly amendment.

Public comment
No public comment.

Commissioner Meko moved to approve and for the applicant to come forward with security and staff to have current LEAD training Commissioner Joseph second the motion.

VOTE:

AYES - Commissioner Meko, Commissioner Lorin, Commissioner Leong, Commissioner Joseph and Commissioner Alan CommissionerShlain and Commissioner Pred

NOES - None

b) Ly, Steve, dba PT's Sports Bar and Lounge, 3565 Geary Blvd., Place of Entertainment, Billiard Parlor, Mech. Amusement Device.

Jocelyn Kane stated the applicant planned to be open 7 days a week sometimes at 10:00 A.M. in the morning

during football season. She added entertainment is planned Wednesday through Saturday. She added the security planned indicated LEAD training and Guard cards. Planning indicates it was a permitted use on the first and second floor. She added Richmond station recommends approval and staff recommends a conditional grant.

Steve Ly apologized for being late at the last hearing. He added they have been open for almost a year. He added the previous complaints with the venue he was overwhelmed with a place that size. He added he met with the Lt. And the night Sgt. and they recommended that he beef up his security which he did and had not had any more complaints to his knowledge.

Commissioner Lorin stated he had a serious concern about parking. He added he was on a busy street and his occupancy of 189. He added were would people park.

Steve Ly stated there was street parking and the majority of his patrons would be locals attending his establishment.

Commissioner Leong stated he had concerns regarding the calls of service. He added he drove out one Saturday night and witnessed a huge crowd that spilled into the street one night.

Steve Ly stated he had five security staff two inside and three security staff outside at 1:45 A.M. to move the crowd.

Public comment
No public comment.

Commissioner Joseph moved to approve
without including the conditions of Richmond station and to include the Good Neighbor Policy
Commissioner Lorin second the motion.

VOTE:
AYES - Commissioner Lorin, Commissioner Leong, Commissioner Joseph and Commissioner Alan and CommissionerShlain
NOES - Commissioner Pred Commissioner Meko

c) Claser, Matthew, Camel Entertainment. Ventures, dba Grant and Green, 1371 Grant Street, Place of Entertainment.

Jocelyn Kane stated the group applied for a new permit to take over a long running establishment on the Grant Street corridor. She added the applicant lives above the venue and the plan was to continue live music and karaoke and end entertainment at 1:30 A.M. She added Central station recommends approval and staff recommends approval.

Matthew Claser stated there have been concerns with the neighborhood and there were bars up and down the entire street. He added they had addressed the concerns of the neighbors.

Jonathan Tourzan stated he was one of the co applicants with Mr. Claser. Her added they spoke with Captain Dudley about his concerns of the party on the sidewalk in North Beach. He added it was one of the main areas they were addressing with their security plan. He added they had security personnel with a Guard card. He added their plan was to keep the noise from imitating from the premises as much as possible. He added he owned the building for two years and was aware of the issues in North Beach and the Broadway corridor. He added they were hoping to working with the building police department to on the issues. He added Captain Dudley recommended they have a flyer to provide to patrons with exit routes that would avoid residential areas.

Commissioner Alan stated he noticed the front door of the Grant Green by its configuration made it impossible to contain the sound.

Jonathan Taruzan stated they had plans to replace the doors and windows.

Officer Crisp stated the captain was ok with the 1:30 A.M. closing. He added it was good that Mr. Taruzar owns the building because he was here for the long hall and there was new blood and they have been drillec about the doors and windows being left opened.

Public comment
No public comment.

Commissioner Leong moved to conditionally approve Commissioner Joseph second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Lorin, Commissioner Leong, Commissioner Joseph and Commissioner Alan CommissionerShlain and Commissioner Pred
NOES - None

d) Manchester, Sean, dba Mighty, 550 15th Street, Place of Entertainment/Extended Hours Premises.

Jocelyn Kane stated the applicant was purchasing a large night club capacity of 502 with the plans to continuc the business as a bar club and a gallery. Planning indicates its permitted use and Mission station recommends approval. Applicant has done outreach with the neighbors including Dog patch to make sure if they hac issues with the club or the previous ownership.

Sean Manchester stated his current intentions were to run the venue unchanged keeping the staff in tact anc not changing the name.

Commissioner Joseph stated he had three security personnel and his capacity was 500 and how he planned tc communicate with his security.

Sean Manchester stated there were currently five security guards and on a night of full capacity they woulc have five security including one manager. He added and he would be getting radios.

Commissioner Meko stated he knew Sean well from the South of Market neighborhood and he was a gooc owner and good neighbor.

Public comment
No public comment.

Commissioner Meko moved to approve the minutes Commissioner Pred seconds the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Lorin, Commissioner Leong, Commissioner Joseph and Commissioner Alan CommissionerShlain and Commissioner Pred
NOES - None

3. Discussion and Possible action to reschedule the December 5, 2006 regular meeting for one hour.

Bob Davis stated there was a tree lighting ceremony that Commissioner Joseph was producing with the mair tree in City Hall at the top of the Rotunda stairs and the Mayor would be giving a speech and a receptior would follow. He added the request from Audrey would be to start the meeting at 6:00 P.M.

Public comment

No public comment.

Commissioner Alan moved to approve the minutes Commissioner Lorin second the motion.

VOTE:

AYES - Commissioner Meko, Commissioner Lorin, Commissioner Leong, Commissioner Joseph and Commissioner Alan CommissionerShlain and Commissioner Pred

NOES - None

4. Discussion and Possible action on creations of Committees.

Chair Shlain stated he would like to purpose a committee that would meet when there were issues and meet once a month. He added he would like to have two alternates for the committee incase someone could not attend. He added the Committee would serve as both the Executive Committee and a Legislative Committee. He added there would be the need from time to time to have a special hearing he added the Committee would not hold those meetings but they would call a separate subset of the Commission to hold a separate committee. He added the committee that would meet monthly appointed Terrance Alan, Commissioner Leong and himself on that committee. He added that committee would need to determine its chair at the next meeting. He added the alternates to that committee would be Commissioner Meko and Commissioner Lorin. He added they would schedule a meeting within the next month to discuss items.

5. Commissioners' Comments, Questions, and Requests for Future Agenda Items.

Commissioner Alan asked that the newly formed committee first agenda item convened a meeting with the Captain and Officer Crisp about the police presence on Broadway affecting good business owners business and look at an alternative approach.

Officer Crisp stated he could see the concerns of the various clubs on the street. He added people mainly form out of town see the lights from the police cars and go in the other direction because it indicates trouble and it wasn't safe. He added it was a great idea to have a meeting and identify the problem. He added the solutions would be much more difficult. He added starting with the physical area DPT needed to come out and clean and PUC needed to light the lights up. He added he sent an email to PUC back in February and had yet to hear from them. He added DPT needed to have their engineering to come out at night see the traffic congestion. He added it needed a comprehensive thought our solution. He added the Police officer were not the entire answer by any means. He added it would be good for the committee together and addresses the issues. He added it was a difficult situation that needed a multifaceted approach.

Commissioner Joseph stated she wanted to add to the next agenda to support a San Francisco music showcase at South by South West (SXSW) in Austin which is a music festival on March 15-18th and propose the Commission reconsider an entertainment corridor. She added they should support a corridor most cities had one and San Francisco did not and it would serve the city well.

Commissioner Lorin stated he was interested in exploring the area change of ownership were there was a period were the new owners took procession the old owners were suppose to surrender the old permits but they were operating under the old permits until they received their own permit. He added there should be something created by the Board of Supervisors to handle the overlap to make sure it was not too extensive.

Chair Shlain stated it was something that could be brought to the Legislative Committee.

Adjournment.6:47 P.M.

Entertainment Commission
City and County of San Francisco

Notice and Agenda for Regular Meeting
Tuesday, December 5, 2006 at 6:00 P.M.
Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102

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MEMBERS OF THE COMMISSION

Jordan Shlain, Chair - *Neighborhood Representative*
Jim Meko, Vice Chair - *Neighborhood Representative*
Audrey Joseph, *Industry Representative*
Terrance Alan, Commissioner - *Industry Representative*
Bowman Leong, Commissioner - *Urban Planning Representative*
Bruce Lorin, Commissioner - *Law Enforcement Representative*
Joseph Pred, Commissioner - *Public Health Representative*

CALL TO ORDER AND ROLL CALL

1. **PUBLIC COMMENT**

   Members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission. With respect to agenda items, members of the public may address the Commission for up to three minutes at the time such item is called.

2. **REVIEW AND APPROVE MINUTES** of November 21, 2006. **[Action Item]**

3. **REPORT FROM THE EXECUTIVE DIRECTOR**, Bob Davis report: Update on Fluid Bar & Lounge, SOMA, North Beach and Club 6. Report from Vajra Granelli's report on recent venue sound inspections and activities. **[Discussion]**

4. Discussion and Possible action to select a chair for Committees. **[Action Item]**

5. **HEARING AND POSSIBLE ACTION** regarding applications for permits under the jurisdiction of the entertainment commission. **[Action Item]**

a) **Goebel, Michael, Tenderloin Team Players LLC, dba the Ambassador, 673 Geary Street, Place of Entertainment.**

b) **McKee, Brandon, Neeraj, Gore, Snapums, LLC, dba Etiquette Lounge, 1108B Market St., Place of Entertainment.**

c) **Werbe, Tom, dba, Michael Hensley Party Rentals, Loud Speaker Permit on Fulton Street between Larkin and Hyde on Friday, December 15, 2006 from 7:00 P.M. to 12:00 A.M.**

6. **Presentation of Talking House Productions "San Francisco Music Showcase" at South by Southwest Music Festival in Austin, March 2007.**

7. Commissioners' Comments, Questions, and Requests for Future Agenda Items. **[Action Item]**

Adjournment. Next regular meeting: December 19, 2006.

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Entertainment Commission

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December 5, 2006

ENTERTAINMENT COMMISSION

City andCounty of San Francisco

MINUTES OF THE

December 5, 2006
City Hall, Room 406

Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

COMMISSIONERS

Present
Jim Meko
Bruce Lorin
Bowman Leong
Terrance Alan
Audrey Joseph
Joseph Pred

STAFF

Present
Robert Davis, Executive Director,
Jocelyn Kane, Crystal Stewart and

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Vajra Granelli

CALL TO ORDER

The Commission Chair called the meeting to order at 6:09 P.M.

ROLLCALL

Bob Davis called the Roll.

Present at the meeting were Commissioners Jim Meko, Terrance Alan, Audrey Joseph, Bruce Lorin and Bowman Leong and Joseph Pred.

Absent at the time of roll call were: Jordan Shlain

Staff present was, Robert Davis, Jocelyn Kane and Crystal Stewart.

1. PUBLIC COMMENT

No Public comment.

Public Comment
No public comment

2. REVIEW AND APPROVE MINUTES OF NOVEMBER 21, 2006.

Public comment
No public comment.

Commissioner moved Lorin to approve the minutes November 7, 2006
Commissioner Leong second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Lorin, Commissioner Leong, Commissioner Joseph, Commissioner Alan and Commissioner Pred
NOES - None
ABSENT - Commissioner Shlain

3. REPORT FROM THE EXECUTIVE DIRECTOR

Bob Davis stated Fluid Lounge appeared before the Commission on two occasions to discuss issues concerning noise and crowd control outside of their establishment. He added last week him and Vajra Granelli met with the managers and owners of Fluid Hotel. He added prior to that they requested drive bys and checks by Southern Police station and Vajra Granelli. He added those drive bys and indicated there was no noise and the doors were closed and the crowds were controlled. He added there were two occasions the St. Regis Hotel indicated there was some issues with the crows but the club was doing much better. He added as a result of the meeting a memorandum of understanding was being written and signed between the club, hotel and apartment complex next door that would allow all parties to feel more comfortable and there was progress on all sides. He added in the greater south of Market area things were relatively quiet over the weekend. He added they meet with Julie's Supper Club and they agreed to cease any entertainment activities He added they would continue to work with them. He added Police agreed to do drive bys on 6th Street . He added in the North Beach area it was an active but quiet weekend with few arrest and they would continue

with one solo and will continue to keep the sheriff's bus out through the end of the year and possibly into the New Year.

Vajra Granelli stated after the meeting Fluid had improved dramatically. He added and club Slims were doing better as well as and have they demonstrated their willingness to work with the neighbors. He added Sake Lab and Jet brought in for displinary action. He added the Castro over all did pretty well overall but there were still some long term issues. He added they had a meeting with Jocelyn Kane and the owner of Julie's Supper Club and he agreed to cease entertainment operations. He added there were a good amount of bars and clubs for sale in the City and the Commission should see a lot of new operators coming through to apply for transfers and new Place of Entertainment permits. He added the Commission should have a discussion on Karaoke sometime in the future.

Bob Davis stated a demand letter would soon go out to the Saki Lab to start the revocation and suspension process. He added he did recommend that Mr. Bronstein should be brought in again to let him know the Commission was serious about him operating his club within the rules.

Commissioner Meko stated that a representative from Greg Bronstein should come to the next meeting.

3. **4. HEARING AND POSSIBLE ACTION regarding applications for permits under the jurisdiction of the entertainment commission.**

a) Goebel, Michael, Tenderloin Team Players LLC, dba the Ambassador, 673 Geary Street, Place of Entertainment.

Jocelyn Kane stated they submitted the application for a conditional grant for a place of entertainment. She added the application indicates they would have both lunch and dinner and their intention to primarily use DJ's. She added Planning indicated it was a permitted use without restriction of hours. She added Central station sent their recommendations with no extended hours however they did not apply for extended hours. She added staff recommends a conditional grant of the permit.

Officer Crisp with Central station stated he has known Mr. Goebel for a while and thought it was good they were going in the area. He added they were established people that have other venues. He added in terms of the conditions there were no extended hours asked for and it was indeed the Good Neighbor Policy of the Entertainment Commission the Captain wishes they follow. He added it was a stand alone building and noise should be less of a problem than most places. He added he thought it would be a good use and make the area come up.

Nate Valentine stated he resides in San Francisco .

Michael Goebel stated he resides in San Francisco .

Nate Valentine stated they looked at the area as a great area to add to. He added they had other businesses in San Francisco and prided themselves on running a clean and good business. He added they had a restaurant background and were opening a new restaurant in the marina. He added they were interested in the food concept of the venue that would also serve as a bar and lounge at night. He added they were hoping to have a lunch program as well as dinner and their focus would be evening entertainment and dinner aspects. He added they anticipated the sound system that would be put in place it would not bring noise to the street level. He added they would have someone at the door to make sure patrons would not congregate outside the establishment.

Public comment
No public comment.

Commissioner Joseph to approve Commissioner Leong second the motion.

VOTE:

AYES - Commissioner Meko, Commissioner Lorin, Commissioner Leong, Commissioner Joseph Commissioner Alan and Commissioner Pred

NOES - None

ABSENT - Commissioner Shlain

b) McKee, Brandon, Neeraj, Gore, Snapums, LLC, dba Etiquette Lounge, 1108B Market St., Place of Entertainment.

Bob Davis stated the applicant met with the ABC and Southern station and there were still operational questions remaining and he had a discussion with Captain O'Leary and the applicant and they both agreed to continue the item for two weeks.

Public comment

No public comment.

Commissioner to continue the item to the next Commission meeting on December 19, 2006 Commissioner Leong second the motion.

Entertainment Commission
City and County of San Francisco

Notice and Agenda for Regular Meeting
Tuesday, December 19, 2006 at 5:00 P.M.
Room 406, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102

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MEMBERS OF THE COMMISSION

Jordan Shlain, Chair - *Neighborhood Representative*
Jim Meko, Vice Chair - *Neighborhood Representative*
Audrey Joseph, *Industry Representative*
Terrance Alan, Commissioner - *Industry Representative*
Bowman Leong, Commissioner - *Urban Planning Representative*
Bruce Lorin, Commissioner - *Law Enforcement Representative*
Joseph Pred, Commissioner - *Public Health Representative*

CALL TO ORDER AND ROLL CALL

1. PUBLIC COMMENT:

   Members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission. With respect to agenda items, members of the public may address the Commission for up to three minutes at the time such item is called.

2. **REVIEW AND APPROVE MINUTES** of December 5, 2006. **[Action Item]**

3. **REPORT FROM THE EXECUTIVE DIRECTOR,** Bob Davis report: Update on North Beach, SOMA and New Year's Eve preparation. Report from Vajra Granelli's report on recent venue sound inspections activities. **[Discussion]**

4. Discussion and possible action regarding venues in the Castro and South of Market, including Jet and Sneaky Tiki under the control of Greg Bronstein, to discuss status of permits. **[Action item]**

5. **HEARING AND POSSIBLE ACTION** regarding applications for permits under the jurisdiction of the entertainment commission. **[Action Item]**

a) **McKee, Brandon, Neeraj, Gore, Snapums, LLC, dba Etiquette Lounge, 1108B Market St., Place of Entertainment.**

ENTERTAINMENT COMMISSION
1 DR. CARLTON B. GOODLETT PLACE, ROOM 453 SAN FRANCISCO, CA. 94102
(415) 554-6678 ■ (415) 415 554-5793 ■ Fax (415) 554-7934

6. Discussion and Possible action to cancel the January 2, 2006 regular Commission meeting. **[Action Item]**

7. Commissioners' Comments, Questions, and Requests for Future Agenda Items. **[Action Item]**

Adjournment.

Please see attached for the Entertainment Commission's interim policy on accessibility to its meetings.

DISABILITY ACCESS

Room **406** is wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #42 Downtown Loop, the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI services, call 923-6142. Large print agendas are available. Sign language interpreters are available upon request by contacting the Entertainment Commission Office at least two working days prior to a meeting. Individuals with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities should also call the Entertainment Commission Office. In order to assist the City's efforts to accommodate persons with severe allergies. environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. A TDD phone for the Entertainment Commission is available on request.

The ringing and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Pleased be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at **www.ci.sf.ca.us/bdsupvrs/sunshine**. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact:

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Sunshine Ordinance Task Force
Donna Hall, Administrator
City Hall, Room 409
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San Francisco, CA 94102-4689
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(Fax): (415) 554-7854
(E-mail): Donna_Hall@ci.sf.ca.us

WRITTEN COMMENTS

Persons attending the meeting and those unable to attend may submit written comments regarding the subject of the meeting. Such comments will be made part of the official public record and will be brought to the attention of the Commission. Written comments should be submitted to the Entertainment Commission c/o Jocelyn Kane, Entertainment Commission, Room 453 City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

"Explanatory Documents: Copies of explanatory documents listed in this agenda, and other related materials received by the Entertainment Commission after the posting of this agenda, can be obtained during normal office hours at the Entertainment Commission office on the 4th floor of City Hall, 1 Dr. Carlton B. Goodlett Place, Room #453, San Francisco, CA 94102, and also, to the extent possible, will be available on the Commission's website at http://www.sfgov.org/entertainment."

Entertainment Commission

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December 19, 2006

ENTERTAINMENT COMMISSION

City andCounty of San Francisco

MINUTES OF THE

December 19, 2006
City Hall, Room 406
Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

COMMISSIONERS

Present
Jim Meko
Bruce Lorin
Bowman Leong
Terrance Alan
Joseph Pred
Audrey Joseph

STAFF

Present
Robert Davis, Executive Director,
Jocelyn Kane, Crystal Stewart and
Vajra Granelli

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CALL TO ORDER

The Commission Chair called the meeting to order at 5:12 P.M.

ROLLCALL

Bob Davis called the Roll.

Present at the meeting were Commissioners Jim Meko, Terrance Alan, Audrey Joseph, Bruce Lorin, Joseph Pred and Bowman Leong.

Absent at the time of roll call were: Jordan Shlain.

Staff present was, Robert Davis, Jocelyn Kane, Vajra Granelli and Crystal Stewart.

1. PUBLIC COMMENT

No public comment.

2. REVIEW AND APPROVAL OF MINUTES OF December 5, 2006

Public comment
No public comment.

Commissioner Alan moved to approve the minutes of December 5, 2006
Commissioner Lorin second the motion.

VOTE:
AYES - Commissioner Meko, Commissioner Lorin, Commissioner Leong, Commissioner Joseph Commissioner Alan and Commissioner Pred
ABSENT - Commissioner Shlain

3. REPORT FROM THE EXECUTIVE DIRECTOR

Bob Davis stated North Beach had an incident over the weekend with Zebra Lounge and SFPD shut them down. He added a letter of suspension would go out this week. He added there would be a large New Year's Eve event held at Civic Center and Vajra Granelli and Jocelyn would be out to observe several events n New Years.

Vajra Granelli stated he was catching up with year end sound test on old venues and was continuing to monitor Club Six and Fluid. He added over the past month he gave Southern Police station a venue watch list.

4. DISCUSSION AND POSSIBLE ACTION REGARDING VENUES IN THE CASTRO AND SOUTH OF MARKET, INCLUDING JET AND SNEAKY TIKI UNDER THE CONTROL OF GREG BRONSTEIN,TO DISCUSS STATUS OF PERMITS.

Jocelyn Kane stated there were sound issues with Jet. She added Sneaky Tiki was no longer in operation and was currently closed. She added the other venues completed all of their signoffs.

Vajra Granelli stated he visited two residents and the sound was loud and you could hear audible base in their units.
Commissioner Joseph asked if the exhaust fan was open and the window and roof.

Vajra Granelli stated they were both open.

Commissioner Lorin asked if a citation had been issued.

Vajra Granelli stated there were no citations issued. He added Mission Street Police station was aware of the problem. He added the Commission had to put the police department on notice.

Bob Davis stated Jet had never passed their sound test and based on that there could be a suspension hearing.

Commissioner Alan stated the Commission could not issue a citation and it fell on the police department and the Commission could not take away their permit since one was not issued.

Bob Davis stated they would seek advice from the city attorney to determine if there was a procedure they could take to write a cease and disease letter.

Public Comment

Art Gallagher stated the Jet bar has been a public nuisance and was not good neighbors and failed to cooperate with neighbors. He added they had been warned several times by the police. He added there was a safety issue and the neighborhood had been affected by the venue. He added he had spoken to Greg Bronstein and he gave him card and got nothing but lip service and voicemail.

Michael Salvinsky stated he lived on the block for 12 years and had never had any noise problems from other venues. He added the noise coming from Jet was primarily base sound for a venue the size of the of a building like the Fillmore Auditorium. He added he complained to the police and he was told he had to talk to the Entertainment Commission. He added as a he asked them to close their door as a good faith measure and they told him they did not have to answer to the Entertainment Commission and the Jets security staff had intimidated him.

Commissioner Lorin stated some action should be taken.

Commissioner Alan stated there should be a sound test done with participation of the neighbors.

Chair Meko stated staff should talk to supervisors Dufty. He added staff should inform Chair Shlain and an action item should be put on the on the next agenda that the Commission could vote on.

Commissioner Lorin stated Bob Davis should talk to the Police Captain.

5. HEARING AND POSSIBLE ACTION REGARDING APPLICATIONS FOR PERMITS UNDER THE JURISDICTION OF THE ENTERTAINMENT COMMISSION.

a) McKee, Brandon, Neeraj, Gore, Snapums, LLC, dba Etiquette Lounge, 1108B Market St., Place of Entertainment.

Jocelyn Kane stated at the request of the applicant and Southern station the item should be continued to the January 16, 2007 meeting based on issues with the applicants ABC license.

Public comment
No public comment.

Commissioner Leong moved to continue the item to the next Commission meeting on January 16, 2006 Commissioner Joseph second the motion.

VOTE:

AYES - Commissioner Meko, Commissioner Lorin, Commissioner Leong, Commissioner Joseph and Commissioner Alan and Commissioner Pred

ABSENT - Commissioner Shlam

6.) **DISCUSSION AND POSSIBLE ACTION TO CANCEL THE JANUARY 2, 2006 REGULAR COMMISSION MEETING.**

Commissioner Joseph moved to cancel the January 2, 2006 regular Commission meeting Commissioner Leong second the motion.

VOTE:

AYES - Commissioner Meko, Commissioner Lorin, Commissioner Leong, Commissioner Joseph Commissioner Alan and Commissioner Pred
ABSENT - Commissioner Shlam

7.) **COMMISSIONER COMMENTS AND QUESTIONS. DISCUSSION AND DIRECTION TO STAFF TO PLACE ITEMS ON THE AGENDA FOR FUTURE ENTERTAINMENT COMMISSION EETINGS.**

Commissioner Alan stated the Commission secretary should calendar a report from the legislation meeting and make note on the agenda.

Commissioner Pred stated the Commission should have a timer to alert pubic comment of their time.

ADJOURNMENT. 6:02 P.M.

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